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METROPOLITANISM AND FEDERAL AID TO EDUCATION--THE PASSAGE AND IMPACT OF THE 1965 AID TO EDUCATION ACT.
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THE INVESTIGATOR IDENTIFIED AND ANALYZED FACTORS WHICH CONTRIBUTED TO THE PASSAGE OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, USING AN INPUT-OUTPUT SYSTEMS MODEL TO ORGANIZE RELEVANT FACTORS INTO MEANINGFUL PATTERNS. INPUTS WERE PHENOMENA, BOTH PHYSICAL AND SOCIAL, OCCURRING OUTSIDE THE BOUNDARIES OF A POLITICAL SYSTEM, AS A REDISTRIBUTION OF POPULATION, AN INFLATION IN THE ECONOMY, OR A SHIFT IN CULTURAL VALUES. ENVIRONMENTAL CONDITIONS SHAPE THE INPUTS WHICH CROSS THE BOUNDARY INTO A POLITICAL SYSTEM WHERE THEY ARE CONVERTED BY THE LEGISLATURE INTO OUTPUTS. THE PRIMARY TASK WAS TO INDICATE WHICH FACTORS IMPINGING ON THE NATIONAL LEGISLATURE AND WITHIN THE LEGISLATIVE SYSTEM HAD UNDERGONE SUFFICIENT CHANGE PRIOR TO AND DURING 1965 TO PRODUCE THE NEW OUTPUT, THE EDUCATION ACT OF 1965. THE MOST FUNDAMENTAL FINDING WHICH EMERGED FROM THIS ENDEAVOR WAS THAT THE FINAL PASSAGE OF THE SCHOOL AID BILL COULD NOT BE EXPLAINED BY A SINGLE MAJOR CHANGE AT THE EXCLUSION OF OTHERS. ALTHOUGH NO HIERARCHY OF FACTORS WAS ACHIEVABLE, THE MAJOR CHANGES WERE DISCUSSED IN SOME DETAIL AS INEXTRICABLY INTERRELATED FACTORS WHICH RESULTED IN THIS LANDMARK LEGISLATION. (GD)

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Metropolitanism and Federal Aid to Education:
The Passage and Impact of the 1965 Aid to Education Act

Cooperative Research Project No. 6-8229

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Syracuse University Research Institute

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CHAPTER I

POLITICAL INNOVATION: A CONCEPTUAL FRAMEWORK

I. Introduction

> I am very proud of your House of Representatives and your United States Senate, and I know everyone is applauding the historic action that the Congress has just taken. Since 1870, almost a hundred years ago, we have been trying to do what we have just done--pass an elementary school bill for all the children of America.[1]

So spoke President Lyndon B. Johnson on April 9, 1965, in reaction to the announcement that the United States Congress had approved the Elementary and Secondary Education Act of 1965. A few days later, while seated outside the former one-room schoolhouse at Stonewall, Texas, where he first attended classes, the President signed the bill into law. He emphasized his satisfaction with the new legislation and its supporters by commenting:

> As President, I believe deeply that no law I have signed or will ever sign means more to the future of our nation . . . . I predict that all of those of both parties of Congress who supported the enactment of this legislation will be remembered in history as men and women who began a new day of greatness in American society.[2]

The President's stress on the innovative nature of this legislation is quite understandable to those who are familiar with the history of past efforts to enact a program of general federal aid for elementary and secondary education.[3] For nearly a century the national legislature considered dozens of proposals which were designed to originate such a program; yet none were approved. The various proposals invariably tended to introduce, or reintroduce, a host of controversial issues which made majority consensus on the subject an extremely elusive occurrence. Many of the propositions became involved with some combination of such explosive questions as federal control of education, the granting of federal funds to segregated schools, the distribution of federal aid to private educational institutions, and the allocation of federal funds among the states. Indeed, this area of national public policy has been so plagued by a variety of sensitive topics that careful students of the subject have consistently predicted that the passage of a federal aid for education bill was quite unlikely. For example, at the conclusion of a detailed and insightful analysis of the 1961 congressional deliberation concerning federal aid to elementary and secondary education one political scientist wrote:

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[1] *New York Times*, April 10, 1965, p. 1.

[2] *Ibid*., April 12, 1965, pp. 1 and 22.

> The bitterness of the 1961 legislative struggle and the difficulties of reaching a consensus on the status of nonpublic schools will not soon be forgotten. In private, many school-aid supporters admitted that federal aid of the sort proposed by President Kennedy was dead, not just for the 87th Congress, but probably for the decade of the 1960's.[4]

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[3] Although this exact wording will not always be used, due to style and space consideration, the focus of this study is centered on the kind of federal aid which is referred to as general aid for elementary and secondary education.

[4] Hugh Douglas Price, "Race, Religion and the Rules Committee: The Kennedy Aid-to-Education Bills," in Alan F. Westin, ed., The Uses of Power (New York: Harcourt, Brace and World, Inc., 1962), p. 67.

The pessimism expressed at the termination of this investigation is not an isolated conclusion. A more historical study of the federal aid to education issue, written by Frank Munger and Richard Fenno, clearly illustrates that the 1961 setback was only the most recent of a long string of proponent failures. Their account of the numerous attempts to enact a federal aid to education program and the concomitant controversies and pitfalls surrounding this issue suggests the remoteness of success in this area of public policy. They characterize the movement for federal aid as one which seems to continue but not progress and conclude that:

> For close to a century the federal aid story-line has run on without a break, rather in the manner of a daytime television serial. There is no particular reason to assume the end is now in sight, and some good reasons to suspect that federal aid will not be approved within the immediate future.[5]

Other commentators have also noted the seemingly endless attempts, yet proponent failures, which have been typical of the school-aid movement. Robert Bendiner, for instance, who was interested in presenting an argument for congressional institutional reform decided that for purposes of illustration he required: "An issue with a long, varied, and frustrating life history, and had no trouble therefore in choosing federal aid to the elementary and secondary schools of the country."[6] This issue served his purposes well for Bendiner had little difficulty in demonstrating how the congressional machinery may be utilized to block legislation which lacks what he refers to as a determined and overwhelming majority. After reviewing the recent history of the school-aid campaign, he also reached the view that the probability of passing a primary and secondary aid for education bill in the near future was minimal. In his judgment, only a "miraculous" set of circumstances could produce such an occurrence. The likelihood of this ideal pattern emerging is expressed in the following manner:

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[5] Frank J. Munger and Richard F. Fenno, Jr., National Politics and Federal Aid to Education (Syracuse: Syracuse University Press, 1961), p. 170.

[6] Robert Bendiner, Obstacle Course on Capitol Hill (New York: McGraw-Hill Book Company, 1964), p. 7.

> From all that has gone before, it can be said that the spontaneous arrangement of circumstances is possible--but only in the same way that it is possible for pigments thrown at a canvas to shape themselves into the 'Last Supper'. That is, it may happen, but it is not a good bet, and to have to count on it for the success of legislation approaches the preposterous.[7]

Despite the momentum of almost one hundred years of proponent failure and the informed opinions expressed above, the United States Congress did approve a bill during the spring of 1965 which many sources have referred to as the first general aid for elementary and secondary education program in American history. In view of the history of the school-aid movement and particularly the most recent occurrences concerning efforts to enact such legislation, the perplexing question which emerges from this decision is how and why did the congressional action of 1965 result in a unique proponent success? More specifically, what accounts for the fact that a school-aid bill (1) successfully reached the House floor for a vote in 1965 and (2) gained a majority vote to reverse the most recent proponent defeat of 1961 (see Table 1)?[8] The primary objective of this study is to formulate reasonable answers to these questions.

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[7] Ibid., p. 192.

II. The Meaning of General Aid

Before discussing the manner in which this investigation will be conducted, it is necessary to establish the point that the legislation under examination is indeed a major departure in national education policy. Some students of federal aid for education may reasonably argue that the Elementary and Secondary Education Act of 1965 is not an authentic general aid to education program which differs significantly from the pattern of limited and specialized program aid. They may affirm that it is comparable to the Smith-Hughes Act of 1917 which set up the initial program of federal grants-in-aid to promote vocational education in precollegiate schools or the Lanham Act of 1940, and subsequent "impacted area" legislation, which provided federal funds for school districts experiencing enrollment increases due to the presence of federal personnel and their families. This is a fair position to take since the Education Act of 1965 does have a somewhat specialized and "impacted area" characteristic.

Title I of the law, which accounts for about $1.1 billion of the approximately $1.3 billion authorized for the fiscal year 1966, provides for grants to be made to local school districts on the basis of 50 per cent of the average per pupil expenditures in their state for the school year 1963-64 multiplied by the number of

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[8] This emphasis on action in the House of Representatives stems from the fact that proponents of school aid have been relatively successful in passing bills in the Senate during the post-World War II period, but have encountered stiff resistence in the House for reasons which will become apparent throughout this study.

TABLE I

HOUSE VOTE ON FEDERAL AID TO EDUCATION, 1961 AND 1965

	1961			1965			
	Yea	Nay	% Yea	Yea	Nay	% Yea	Gain In Yea Votes
Northern Democrats	143	12	92	197	4	98	+54
Southern Democrats	21	70	23	31	53	37	+10
Total Democrats	164	82	67	228	57	80	+64
Republicans	6	160	4	35	96	27	+29
Total Vote	170	242	41	263	153	63	+93

Source: Compiled from Congressional Quarterly Almanac, 1961 and 1965.

five to seventeen-year-old children in the local school district from families with an annual income below $2,000 or with a higher income resulting from aid to dependent children relief payments. The local school districts do not automatically receive their proportion of the aid but must submit to their State Education Department for approval, plans "to expand and improve their educational programs by various means (including preschool programs) which contribute particularly to meeting the special educational needs of educationally deprived children."[9] Consequently, this is aid to school districts which are impacted by poverty stricken families and is, in that sense, a specialized aid program.[10]

Part of the difficulty in determining whether such a program is general aid or not revolves around the imprecise usage of the term "general". Evidently, the most general type of federal aid would be aid that is granted to school districts in a manner similar to the distribution of most state aid for education. That is, all school districts would receive some aid, the amount dependent upon the state's particular formula, with the funds being expended among various categories at the discretion of the local school district. This kind of aid is referred to as general because all districts receive some proportion of the total and the local districts have the right to decide how it is to be spent.

What makes the issue confusing is that the school construction and teacher salary bills which have been presented to the national legislature for the past decade or so have been referred to as general aid even though it is clear that the local school districts would be compelled to use the funds allocated under such programs in specialized expenditure categories. In this context, the Education Act of 1965 is certainly as general, and probably more so, than the construction/salary proposals since both types of expenditures are possible under Title I as are many more activities which can be related to improving the education of culturally deprived children.[11]

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[9] Senate Committee on Labor and Public Welfare, Elementary and Secondary Education Act of 1965, 89th Congress, 1st Session (1965), 25.

[10] See Appendix A for a summary of the complete law.

There are a number of other factors which indicate the generalness of the legislation. Funds under Title I, for example, will be allocated to school districts both public and private in at least 95 per cent of the nation's counties and grants under the other titles of the Act will presumably benefit all school districts.[12] Title II grants are provided for a five-year program to enable school libraries to purchase textbooks and other instructional materials for the use of children and teachers in all public and private elementary and secondary schools. The provisions of Title III establish a five-year program of grants to states for the creation of supplementary educational centers and services which are to be available to both public and private school students. And finally, Titles IV and V give aid to elementary and secondary education in an indirect manner by supplying federal funds for educational research and aid to states to strengthen their state education departments.

Additionally, the $1.3 billion authorized for the fiscal year 1966 represents a figure which is considerably higher than the estimated

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[11] For a listing of the various programs possible under Title I provisions, see: Senate Committee on Labor and Public Welfare, *op. cit.*, 636-637.

[12] *Ibid.*, p. 894.

$497 million expended by the Federal government on all its various elementary and secondary aid programs in 1965 (see Table 2). The Education Act of 1965, therefore, almost triples the federal fiscal commitment to primary and secondary education. In this sense, it appears that "the foot in the door" monetary conservatives have resisted for so long has been inserted.

TABLE 2

FEDERAL FINANCIAL ASSISTANCE TO EDUCATION, 1956-1966 (In millions)

Year	Elementary and Secondary Education	Higher Education	Total
1956	$ 123.9	$ 5.1	$ 129.0
1958	225.7	5.1	230.8
1960	327.6	70.5	398.1
1962	383.2	132.3	515.5
1964	409.1	180.3	589.4
1965	497.6	706.0	1203.6
1966	520.1*	949.1*	1469.2*
1966	1281.0**		

*Estimates

**The Elementary and Secondary Education Act of 1965

Source: Senate Committee on Labor and Public Welfare, Elementary and Secondary Education Act of 1965, 89th Congress, 1st Session (1965), 98.

It is clear from the quotations included above that President Johnson perceived the law as a major new school-aid bill as did many congressmen, including Senator Jacob Javits, Republican of New York, who termed the bill "the most comprehensive and far-reaching education program ever sent to Congress."[13] Congressional Quarterly, the most authoritative periodical on Congress, arrived at a similar conclusion in its 1965 special report on the role of the Federal government in education by stating: "The first general aid to education bill ever to clear Congress was enacted this year."[14]

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[13] Quoted in the New York Times, January 13, 1965, p. 21.

Regardless of the view taken concerning whether the legislation should be termed general or not, the crucial fact remains that a significant and substantial set of political changes occurred between 1961 and 1965 which considerably alters the relationship between the Federal government and education. Given the present and projected role of the education function in American society, it is not unreasonable to suggest that this new commitment of federal aid to education may in the long run represent the most important change in national domestic policy since the New Deal period. This point alone justifies a study of the factors contributing to this significant decision.

III. A Systems Approach to Political Innovation

In attempting to explain the advent of such a potentially far-reaching alteration in national policy and legislative action, one finds it necessary to consider the more fundamental question concerning the manner in which major innovation occurs in our political system. Unfortunately for the student of political change, the trend in political science toward systematic empirical and theoretical inquiry has not included an emphasis in explaining major change. In addition, and more relevant to the orientation of this study, the various approaches to national legislative politics, such as the case study approach to a bill[15] and studies which focus on functional and systems analysis of sub-legislation units,[16] also lack stress on what influences the national legislature to reverse its position on a long-standing issue. The former kind of study tends to emphasize a detailed empirical examination of the "full life" of a particular bill to illuminate the congressional processing of legislation, while the latter generally utilizes an equilibrium model dealing with conflict adjustment and consensus building at the subsystem level rather than a model which stresses major innovation at the more encompassing legislative level. Lacking an explicit model of political change at this more general unit of analysis, the researcher may either invent a unique model or construct a conceptual framework through the adaptation of existing concepts. The latter strategy has been selected in this study. More specifically, an attempt will be made to combine elements of the systems approach to political behavior at the societal level, as developed by such theorists as

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[14] Congressional Quarterly Service, Federal Role in Education (Washington, D.C.: 1965), p. 31.

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[15] See, for example, Stephen K. Bailey, *Congress Makes a Law* (New York: Columbia University Press, 1950) and Daniel M. Berman, *A Bill Becomes a Law* (New York: The Macmillan Company, 1966.)

[16] Examples of this more recent approach to national legislative politics may be found in some of the studies included in Robert Peabody and Nelson Polsby (eds.), *New Perspectives on the House of Representatives* (Chicago: Rand McNally & Company, 1963). Also see Ralph Huitt, "The Congressional Committee: A Case Study," *American Political Science Review*, Vol. XLVIII (June, 1954), pp. 340-365; Charles O. Jones, "The Role of the Congressional Subcommittee," *Midwest Journal of Political Science*, Vol. VI (November, 1962), pp. 327-444; George Goodwin, "Subcommittees, The Miniature Legislatures of Congress," Vol. LVI (September, 1962), pp. 596-604; and John F. Manley, "The House Committee on Ways and Means: Conflict Management in a Congressional Committee," *American Political Science Review*, Vol. LIX (December, 1965), pp. 927-939.

Easton and Mitchell,[17] with aspects of a legislative model constructed by Wahlke and his colleagues.[18]

Prior to a more detailed discussion of what is involved in such a modification, it is useful to delineate some of the basic notions which relate to political systems analysis in general.

Probably the most basic point to be made is that the systems approach posits the proposition that the subject matter of political science may be viewed as a system because it focuses on (or should if it does not) the set of interrelationships among political actors and institutions. These actors, working through the institutions, produce authoritative decisions concerning which competing political goals and aspirations will be written into public policy and consequently enforced by the legitimate power of the state. It is suggested that such behavior and structures may be viewed as a system because the various parts are interrelated in such a manner that variation in any one part has an impact on the remaining sectors.

A second basic point is that the systems approach is essentially descriptive in character. It attempts to indicate the relationship among various parts of the political system; thus, at this stage, it is more useful as an organizational scheme than a predictive model.

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[17] See David Easton, "An Approach to the Analysis of Political Systems," *World Politics*, Vol. IX (April, 1957), pp. 383-400; *A Framework for Political Analysis* (Englewood Cliffs: Prentice-Hall, 1965); *A Systems Analysis of Political Life* (New York: John Wiley & Sons, Inc., 1965); and William C. Mitchell, *The American Polity* (New York: The Free Press of Glencoe, 1962).

[18] John C. Wahlke, Heinz Eulau, William Buchanan, and Leroy C. Ferguson, *The Legislative System* (New York: John Wiley & Sons, Inc., 1962). For a related discussion see Edward A. Shils, "The Legislator and His Environment," *The University of Chicago Law Review*, Vol. XVIII (Spring, 1951), pp. 571-584.

Another fundamental proposition underpinning this perspective is that such a unit as the political system may be sufficiently and profitably differentiated from the other social systems operating in a society. The means for constructing this analytical category centers on abstracting out those aspects of human interaction which are essentially political. "What distinquishes political interactions from all other kinds of social interactions is that they are predominantly oriented toward the authoritative allocation of values for a society."[19] Clearly, the political system overlaps with the other social systems in a society insofar as the individuals involved are members of various sub-systems. Consequently, the legislator may be considered a member of the economic system, the religious system, and so forth; however, that portion of his behavior which is most directly related to the authoritative allocation of values is isolated (insofar as this is possible) and analyzed in order to assess its impact within the political system. Theoretically, when such a process is successfully completed for all members of a society it is possible to delineate the interactions which compose the political system of the society; realizing, of course, that the boundary between it and other sub-systems is somewhat hazy and that the systems are highly interrelated.

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[19] Easton, A Framework for Political Analysis, op. cit., p. 50. For a discussion of additional systems operating in society see: Talcott Parsons, The Social System (New York: The Free Press, 1951) and Talcott Parsons and Edward Shils (eds.), Toward a General Theory of Action (New York: Harper and Row, 1951).

Although a political system is distinquishable from the environment in which it exists, it is an open system. In other words, it is open to influences from other sub-systems within the society and extra-societal sub-systems. The point here is that phenomena, both physical and social, which occur outside the boundaries of a political system may play an important and in some cases a crucial role in influencing the manner of interaction within the system and consequent outputs. Therefore, an inflation in the economy, a shift in cultural values, a redistribution of population, or an international crisis may each have important implications for a political system.

Under particular circumstances these events and conditions in the environment are transmitted to a political system in the form of political demands and as potential sources of stress which generally stimulate the internal structures and processes within the system to regulate or cope with the stress produced by the demands. Put more formally, the environmental conditions shape the inputs which cross the boundary into a political system where they are converted by the internal mechanism, e.g., the legislature, into outputs. It is important to note that occurrences within a political system are also capable of producing sufficient stress which requires a response in the form of outputs.[20] For example, a rapid shift in the relative powers between the legislative and executive branches of a political system may produce a state of tension that can influence the nature of outputs.

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[20] In order to distinquish these internal stresses from the external, environmental stresses, Easton has suggested the term "withinputs" for the former. Ibid., pp. 114-115.

The term outputs is reserved within this approach to refer to the authoritative allocation of values such as legislative laws, executive orders, judicial rulings, administrative decisions, and all other decrees which are backed by the legitimate power of the state.

The discharge of authoritative outputs is not terminal; once they have emerged from the system the outputs have a feedback effect on the general environment and potentially the political system itself. Indeed, this feedback process becomes crucial to the persistence of a political system since it plays the role of providing a flow of information to the authorities within a system which allows them to assess and respond to the impact previous outputs have had on the original demands made upon the system.

This linkage of the feedback to inputs, the political system, and consequent outputs and the indication of the function each concept plays in relating a political system to its environment, as well as the genesis of stress within the system, denotes the emphasis on process that is inherent in the approach. The task remaining is to adjust this framework, which pertains to a political system at the total societal level, to the national legislative level.

Such a shift involves reducing the unit of analysis from the total societal political system to a "sub-political system. For purposes of this study the sub-political system which will be the focus of analysis is the congressional component of the national government. As has already been implied in the preceding discussion, changes in outputs emerging from a political system may result from changes in the environment and/or changes within the system itself.

The basic argument that will be developed in this study is that the new output--The Elementary and Secondary Education Act of 1965--was the result of a mixture of past and immediate changes, both in the environment and within the political system, which came together in a unique constellation capable of generating a new major public policy that had long been blocked by a variety of factors. The principal task is to identify and investigate the variables in both categories, the environment and the system itself, which appear to hold the most promise for explaining the nature of the changes and how they contributed to the output under consideration.

Relative to the environmental category, it appears useful to consider at least two sub-categories, one of which may be termed "circumstantial conditions,"[21] and another which may be identified as "demand articulators." The first concept refers to the fact that a legislative system exists at any specific time within a generalized environment that it shares with the other social systems in the society. The conditinns which characterize the general environment, however, may have special implications for the functioning of the political system; For example, it makes a difference whether the legislature is operating during a time of peace or war, during a period of economic growth or ditress, or in a period of rapid social change.

Throughout the struggle for federal aid to education, proponents have attempted to put the rationale for federal aid into a context which reflected a condition in the general society which had "crisis-like"implications for the education function. The proportion of selective service rejections during the World War periods produced demands for federal aid in 1918 and 1943; the social and economic conditions of the depression stimulated emergency aid to education in the 1930's; and the postwar teacher shortage and baby boom of the 1950's created the context for the most recent general aid bills.

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[21] This particular concept and the consequent framework follows in a general manner the approach suggested in Wahlke, et.al., op. cit., especially pp. 3-29.

This study will attempt to illustrate that at least three environmental conditions which became prevalent between 1961 and 1965 altered the rationale underpinning federal aid for education. These three circumstantial conditions include the "rediscovery" of poverty in American society, the trend of metropolitanization and its consequences for the education function, and the civil rights movement. The nature of these factors, their implications for education, and their relationships to the Education Act of 1965 are explored in Chapter II.

The circumstantial conditions in the environment surrounding the legislative system may be instrumental in creating input demands on the system in two ways: they may have a direct impact on legislators who perceive the actual conditions as political demands requiring responses or the conditions may be filtered through what may be referred to as "demand articulators," the second sub-category in the general environment.[22]

There are at least four groups which may be identified as demand articulators who perform the function of providing legislators with sources of legislative input. Comprising this environmental sub-category are constituents, organized interest groups, the principal political parties, and the chief executive. All of these factors have an influential impact on the nature of interaction within the legislative system and the kinds of outputs which emerge from it.

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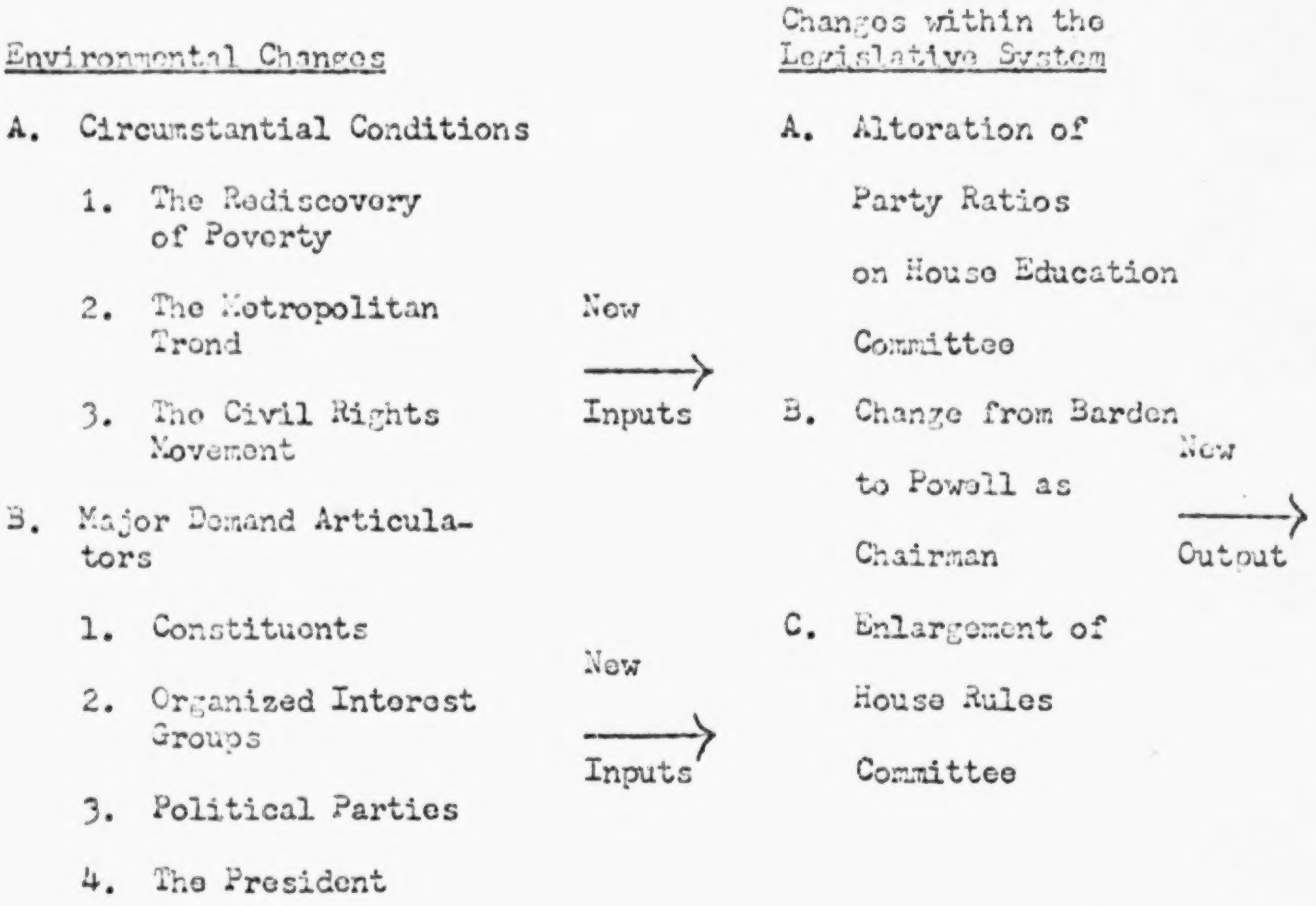
[22] It is possible, of course, for the legislative system to receive the same demands from circumstantial conditions and the major demand articulators simultaneously.

Chapters III and IV are devoted to a discussion of the various changes which occurred among these factors and their subsequent influences on the outcome of the 1965 bill. The opinions of constituents regarding federal school aid as reflected through public opinion polls are examined over time; the constellation of interest groups for and against education aid in 1961 and 1965 are contrasted; the past and more recent postures of the major political parties concerning the issue are examined; and finally, the views of postwar Presidents on aid to education and their relative commitments to the cause are compared.

As the previous discussion has indicated, changes in the environment surrounding the legislature represents one principal source of explanation concerning a new policy output; the other main origin of innovation may be found in changes which occurred within the system itself. It would be impossible to take into account all the changes within the system which have occurred over such a period of years. Therefore, for purposes of making the analysis manageable, three major alterations, which according to past studies have been instrumental in influencing the outcome of federal aid to education bills, are identified and examined. These three factors include the alteration in the proportion of Democrats and Republicans on the House Committee on Education and Labor in 1959, the change from Graham Barden to Adam Clayton Powell as chairman of that committee

FIGURE I

A MODEL OF LEGISLATIVE CHANGE


Environmental Changes
A. Circumstantial Conditions
1. The Rediscovery of Poverty
2. The Metropolitan Trend
3. The Civil Rights Movement
B. Major Demand Articulators
1. Constituents
2. Organized Interest Groups
3. Political Parties
4. The President
New Inputs
New Inputs
Changes within the Legislative System
A. Alteration of Party Ratios on House Education Committee
B. Change from Barden to Powell as Chairman
C. Enlargement of House Rules Committee
New Output

in 1961, and the increase in membership of the House Rules Committee in 1961. Chapter V of this study is devoted to relating these changes within the legislative system to the eventual passage of the school aid bill in 1965.

In summary, then, this investigation has been put into the context of political innovation because it involves an attempt to identify and analyze the most significant factors contributing to the enactment of a bill which represents a new major policy commitment of the Federal government. First, an examination is made of the environmental changes which appear to have influenced this decision; second, a discussion of the relevant system changes is presented; and third, the total mixture of factors are related to one another in the concluding chapter.

CHAPTER II

POVERTY, CITY SCHOOLS, AND CIVIL RIGHTS: THE NEW RATIONALE FOR FEDERAL AID

I. Background

One of the characteristics of a legislative system, as was pointed out earlier, is its openness; that is, its responsiveness to conditions existing in the surrounding environment which have been converted to political demands either by members within the system or demand articulators. Generally, this means that individuals or groups have identified particular social, economic, or political conditions which they perceive as problematic and have utilized whatever political resources they possess to have those conditions altered by governmental action. Those who are successful in realizing their demands and why they are successful, or "who gets what, when, and how," has been a central focus of political science. Although answers to these questions may be fragmentary, one factor appears to be clear: the proponents of a goal increase their chances of victory if they are able to convincingly relate their objectives to the alleviation of some general societal "crisis."

A recent illustration of this principle from the area of national education policy is the enactment of the National Defense Education Act of 1958. After the Soviet Union launched its first earth satellite, Sputnik, on October 4, 1957, grave warnings were made in many corners that the United States had lagged seriously behind the Soviets in the field of science thus presenting a national security crisis. Proponents of a federal education program to deal with this situation were successful in linking this "crisis" to their aim and by September, 1958, President Eisenhower had signed the NDEA into law with the comment that it would "do much to strengthen our American system of education so that it can meet the broad and increasing demands imposed upon it by considerations of basic national security."[1]

The supporters of federal aid to elementary and secondary education have not ignored this strategy. Throughout the twentieth century they have attempted to utilize a variety of pressing social conditions to strengthen the urgency of their political demands. For example, they pointed to the high rate of selective service rejections due to illiteracy during both World War periods in an attempt to dramatize the frequency of illiteracy in American society and the inadequacy of the response made to this condition by the education system. In more recent years proponents of federal aid have utilized these factors plus the educational problems resulting from the post-World War II teacher and classroom "shortage" to bolster their request for federal support of education.[2]

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[1] Quoted in Congressional Quarterly Service, *Federal Role in Education* (Washington, D.C.: 1965), p. 10.

[2] The efforts for federal action during the two war periods are discussed in some detail in Anne Gibson Buis, *An Historical Study of the Role of the Federal Government in the Financial Support of Education, with Special Reference to Legislative Proposals and Action* (unpublished doctoral dissertation, Ohio State University, 1953), and William Alexander Mitchell, *Federal Aid for Primary and Secondary Education* (unpublished doctoral dissertation, Princeton University, 1948).

During the last decade or so those arguing for federal aid have tended to stress above all else the teacher and classroom shortage and a series of interrelated conditions which they feel warrant increased federal support for education. Generally, the argument has been presented in the following terms:

1. The education function is in a state of "crisis" resulting from the baby boom of the early 1940's and the postwar period in general. The impact of the baby boom on schools is reflected in public school enrollment statistics which show that enrollment actually declined between 1930 and 1950 from 25.6 million to 25.1 million. However, by the school year 1959-1960 enrollment jumped to 36.1 million, an increase of about 43 per cent in one decade.[3]

2. The enrollment explosion has caused a serious shortage of classrooms, increased the size of classes, and has contributed, along with low salaries, to the failure of attracting and keeping a sufficient number of qualified individuals in the education profession.[4] Consequently, many schools are characterized by overcrowded conditions, the operation of double shifts, and undermanned instructional staffs.

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[3] Individuals testifying before congressional committees have used a variety of statistics at different times to illustrate this trend. These figures are taken from: U.S. Department of Health, Education, and Welfare, Office of Education, *Digest of Educational Statistics* (Washington, D.C.: U.S. Government Printing Office, 1965), p. 10.

[4] Much debate has centered around the statistics which supposedly support these patterns. The National Education Association, for example, claimed in 1961 that there was a 140,000 classroom backlog. The U.S. Chamber of Commerce, on the other hand, argued that classroom construction was outstripping increased enrollment and if there was a shortage it was much smaller. For both points of view see: House Committee on Education and Labor, *Federal Aid to Schools*, 87th Congress, 1st Session (1961), 165-170 and 282-285.

3. The Federal government has a responsibility to help relieve these problems because of their implications for national welfare. National wealth and economic productivity have been related to the increased educational level of the population. A sound education system also underpins the nation's scientific and defense capabilities. In addition, the society has become increasingly interdependent, particularly through the increased internal mobility of the work force and school population; consequently, the quality of education in any one part of the country has implications for the rest of the society and is of national concern.

4. Not only does the Federal government have a responsibility to support education but it also has the necessary resources. Local school districts and state governments have had their fiscal resources strained to the limit by demands for improved educational and non-educational services. The Federal government with its superior tax base is in a position to provide relief for state and local governments while simultaneously increasing the nation's potential through a strengthened education system.[5]

Enrollment explosion, classroom shortage, teacher shortage, fiscal strain, and national well-being--these conditions constitute the environmental factors which recent proponents of federal aid have utilized in order to support their political demands. Judged by the results, the reasoning of school aid supporters has not been convincing to the majority of the decision-makers within the national legislature. Apparently, the educational "crisis" they have depicted has not been sufficiently urgent to secure positive legislation.

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[5] For a typical presentation of this argument see the testimony of Carl J. Megel, President of the American Federation of Teachers, before the House Committee on Education and Labor during 1961. Ibid., 267.

How is the enactment of the Education Act of 1965 related to these arguments for federal aid? Did the environmental conditions referred to worsen and thus provide the proponents with a stronger foundation from which to present their position? Did the conditions remain relatively the same with the supporters of aid pleading their case with more force and intensity? Or were new environmental conditions introduced into the picture which allowed federal aid backers to construct a novel context for their demands? The remainder of this chapter will endeavor to illustrate that the latter interpretation is the most plausible.

Instead of reasoning for federal aid on the grounds reviewed above, a new rationale for federal aid to education was utilized by its proponents in 1965 which centered around such terms as the poverty-stricken family, the poverty cycle, the disadvantaged student, and the crisis confronting urban school systems. To appreciate why this shift in emphasis occurred it is necessary to review the emergence of a set of social and economic patterns which have become salient public issues in the mid-1960's. Therefore, the following discussion examines the major characteristics and interrelationships among three subjects which characterize this time period: the "rediscovery" of poverty in the United States, the recognition of America as a metropolitan society, and the civil rights movement.

II. The "Rediscovery" of Poverty

An awareness and concern with the problem of poverty in America, the land of abundance, is not a recent phenomenon. In his volume, Progress and Poverty, Henry George described the United States of the post-Civil War period as a land where "amid the greatest accumulation of wealth, men die of starvation and puny infants suckle dry breasts."[6] In 1890, the reporter Jacob Riis presented in his widely quoted book, How the Other Half Lives, a vivid portrayal of the degrading living conditions of New York City slum dwellers[7]; and President Franklin D. Roosevelt in his State of the Union Message of 1933 made his now famous reference to the "one third of the nation that is ill-clothed, ill-housed, and ill-nourished."

The recognition of impoverishment in the United States was considerably obscured by the economic prosperity of World War II and the postwar years. Indeed, by 1958, John Galbraith, the author of one of the best selling books of the year, The Affluent Society, suggested that the widespread poverty which had characterized man's historical experience had been replaced by general well-being in sections of Europe and especially in the United States. He wrote:

> No one would wish to argue that the ideas which interpreted [that] world of grim scarcity would serve equally well for contemporary United States. Poverty was the all-pervasive fact of that world. Obviously it is not of ours.[8]

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[6] Henry George, Progress and Poverty (New York: Robert Schalenback Foundation, 1940), p. 12.

[7] Jacob Riis, How the Other Half Lives (New York: Hill and Wang, 1957).

[8] John K. Galbraith, The Affluent Society (New York: The New American Library, 1958), p. 14.

Although Galbraith recognized that poverty was by no means absent in American society, his book emphasized the implications of affluence rather than poverty. However, the point stressed by those who "rediscovered" poverty in affluent America was its pervasive yet concealed and invisible nature. Michael Harrington, who in general provided the impetus for this perspective through his book, *The Other America: Poverty in the United States*, argued that America's poor are largely "invisible" to the average American because the poor are off the main thoroughfares which the ordinary tourists do not leave; they are physically isolated from affluent suburbia; their relatively adequate clothing hides their poverty; many are the wrong age (too young or too old) to be noticed; and the poor are politically invisible, they have no organized groups pressing for legislation.[9]

Visual concealment and numerical ambiguity make the magnitude of poverty in contemporary America difficult to assess. Statistics on poverty may be misleading for a number of reasons, including the income figure used in the definition, the size of families included, the different stages of the life cycle, and the geographic region involved. Given such definitional difficulties, it is not surprising to discover that there is disagreement in the literature over the proportion of the American population which may be considered in the poverty category. In general, the figures most often cited range from a low estimate of about 32,000,000 to a high of about 50,000,000 poverty-stricken individuals. The basic point remains that although there is disagreement over statistics, most of the recent studies on poverty agree that it is a rather widespread and serious phenomenon in America.[10]

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[9] Michael Harrington, *The Other America: Poverty in the United States* (Baltimore: Penguin Books, Inc., 1962), pp. 11-14. For an extension of this theme see Dwight MacDonald, "Our Invisible Poor," *The New Yorker Magazine*, January 19, 1963.

The notion that poverty is still an important characteristic of American society discloses only a portion of the situation. The theme that is repeated time and again in the literature dealing with this topic is that present day poverty is a new kind of poverty with new implications.[11] The argument is made that the old poverty group was generally composed of immigrants who came to a new land with high aspirations and saw poverty as a temporary state, if not for them at least for their children. Essentially, their anticipation was correct; their arrival coincided with an expanding economy which contained an abundance of unskilled and semi-skilled jobs which made economic and social mobility possible.

In contrast, the new poor are generally internal aliens in a prosperous society. They include farm workers who have been displaced by mechanization, white and Negro migrants who have moved from backward rural areas to urban slum centers, the unskilled and undereducated workers in declining industries, displaced workers who are victims of technological change, and the aged or physically disabled who cannot participate in the labor force. For these individuals poverty is less likely to be viewed as temporary, they are more inclined to perceive it as a way of life which contains little promise for change. This perception of poverty is related to alterations in the opportunity structure. Unlike earlier periods, the labor market of today is unable to absorb great numbers of underskilled and undereducated workers. Thus, objectively, the poor of today have less chance for upward mobility than the poor of the past. The recognition of this fact by the poor breeds pessimism among them and ultimately among their children. The alarming concern is that this condition of poverty will become "hereditary," passed from generation to generation.

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[10] One of the more rigorous attempts to define poverty and its extent can be found in the monograph by Millie Orshansky, "Counting the Poor; Another Look at the Poverty Profile," *Social Security Bulletin*, January, 1965. Also see: Ben H. Bagdikian, *In the Midst of Plenty: A New Report on the Poor in America* (New York: Signet Books, 1964); Leon H. Keyserling, *Progress or Poverty: The United States at the Crossroads* (Washington, D.C.: Conference on Economic Progress, 1964); and James N. Morgan, *et al*, *Income and Welfare in the United States* (New York: McGraw-Hill Book Company, Inc., 1962).

[11] For a good summary of this argument see Michael Harrington's introduction to *Poverty in America: A Book of Readings* edited by Louis A. Ferman, Joyce L. Kornbluh, and Alan Haber (Ann Arbor: The University of Michigan Press, 1965).

The educational implication of poverty stems from the fact that low family income relates to low educational attainment. Consequently, children of the poor are less likely to do well while they attend school and have a greater tendency to leave school before completing a high school education.[12] Their lower educational accomplishments put them at a disadvantage in the labor market which is increasingly demanding more highly educated and skilled workers. Since their educational background fails to prepare them for the requirements of the labor market, it is not surprising that the young poor experience high unemployment rates and receive low wages when they are employed.[13] This situation obviously relates to the fact that their incomes are low which, in turn, is associated with a whole range of conditions: residence in substandard and unhygienic housing, inadequate diets, lack of regular medical care, greater incidences of sickness and absence from work or school which is conducive to perpetuating the whole cycle.

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[12] For a discussion of this relationship see: Patricia Sexton, *Education and Income: Inequalities in Our Public Schools* (New York: The Viking Press, 1962); H. Thomas Jones, J. Alan Thomas, and Harold J. Dyck, *Wealth, Expenditures, and Decision-Making for Education* (Stanford: Stanford University Press, 1963); and Jesse Burkhead, *Input-Output Relationships in Large City High Schools* (forthcoming publication, Syracuse University Press, 1967).

From the perspective of this study the most important aspect of this situation is the linkage between the so called "poverty syndrome" and education as a means for breaking the cycle. As the renewed spotlight on the extent of poverty in the United States became intensified much attention centered on the "disadvantaged student," "the culturally deprived student," "the underprivileged student," and "the socially impoverished student." A great deal of writing and discussion came forth concerning what the schools were doing and neglecting to do to meet the needs of these students.[14] The general line of reasoning that characterizes this literature is captured succinctly by Martin Deutsch who writes:

> Among children who come from lower-class socially impoverished circumstances, there is a high proportion of school failure, school dropouts, reading and learning disabilities, as well as life adjustment problems. This means not only that these children grow up poorly equipped academically, but also that the effectiveness of the school as a major institution for socialization is diminished.

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[13] Louis A. Ferman, *et al* (eds.), *op. cit.*, pp. 134-185.

[14] For a sampling of this literature see Frank Riessman, *The Culturally Deprived Child* (New York: Harper and Row, 1962); Judith R. Kramer and Seymour Leventman, *Children of the Gilded Ghetto* (New Haven: Yale University Press, 1961); A. Harry Passow (ed.), *Education in Depressed Areas* (New York: Teachers College, Columbia University, 1963); and C.W. Hunnicutt (ed.), *Urban Education and Cultural Deprivation* (Syracuse: Syracuse University Press, 1964).

> The thesis here is that the lower-class child enters the school situation so poorly prepared to produce what the school demands that initial failures are almost inevitable, and the school experience becomes negatively rather than positively reinforced. Thus, the child's experience in school does nothing to counteract the invidious influences to which he is exposed in his slum, and sometimes segregated neighborhood.[15]

Educational and other institutions responded to this problem in various ways. In some instances local school districts reallocated portions of their resources to fashion special education services for these students and occasionally the districts were assisted in the development of programs by private foundations.[16] Most recently, and from our interests most importantly, they have received aid from the Federal government under its various anti-poverty programs enacted by the Kennedy-Johnson Administrations. These programs include the Area Redevelopment Act of 1962, the Vocational Education Act of 1963, and most importantly the Economic Opportunity Act of 1964. The latter legislation represents the first major program originated by President Johnson in his declared war on poverty. The environmental conditions related to the anti-poverty legislation, the rationale underpinning it, and its political appeal are not unrelated to the kind of school aid bill presented to the national legislature in 1965.

It is suggested that this re-emphasis on poverty in America and its linkage to the function of education constitutes an important environmental change which took place between the school aid fight in 1961 and the passage of the federal aid bill in 1965. The manner in which this development was utilized by the proponents of the aid in 1965 will be illustrated below. However, before turning to that discussion it is necessary to review educational changes which resulted from metropolitanism and the civil rights movement since these factors contributed additional new environmental inputs.

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[15] Martin Deutsch, "The Disadvantaged Child and the Learning Process," in Harry Passow (ed.), *op. cit.*, p. 163.

[16] A summary of the various programs in operation in 1962 can be found in U.S. Department of Health, Education, and Welfare, Office of Education, *Programs for Educationally Disadvantaged* (Washington, D.C.: U.S. Government Printing Office, 1962).

III. *Metropolitanism and City Schools*

The renewed interest in poverty and its implications for education occurred almost simultaneously with the recognition of another set of social patterns which also produced important consequences for the education function. These patterns include the concurrent shift of people, jobs, and economic activities from the rural to the urban and from the city to the suburban areas of the nation. This total process and its various social, economic, and political concomitants have been designated as metropolitanization.[17] It is important to note that in contrast to the term urbanization, which basically refers to the growth of relatively large, densely populated, non-farm centers (cities) and all of the accompanying conditions, the concept of metropolitanization stresses the spill-over of urban type populations and activities beyond the governmental boundaries of cities into the surrounding area. This latter process is not new, in fact, it began at a noticeable pace in the last half of the nineteenth century;[18] however, its reacceleration has occurred in the post-World War II period, as is shown by the data presented in Table 3.

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[17] Much recent literature deals with this topic. For good general accounts see Roscoe Martin and Douglas Price, *The Metropolis and Its Problems* (Syracuse: Maxwell Graduate School, Syracuse University, 1960); Scott Greer, *The Emerging City: Myth and Reality* (New York: The Free Press, 1962); and James Bollens and Henry Schmandt, *The Metropolis* (New York: Harper and Row, 1965).

TABLE 3

POPULATION GROWTH IN THE UNITED STATES, IN METROPOLITAN AREAS AND DISTRIBUTION WITHIN METROPOLITAN AREAS: 1900-1965 (Conterminous United States)

	United States		SMSA		SMSA as Percent of Total Popula.	Percent of SMSA Pop. Outside Cen. Cities
	Population (000)	Percent Increase by Decade	Population (000)	Percent Increase by Decade		
1900	75,995	-	31,836	-	41.9	37.8
1910	91,972	21.0	42,012	32.0	45.7	35.4
1920	105,711	14.9	52,508	25.0	49.7	34.0
1930	122,775	16.1	66,712	27.1	54.3	35.4
1940	131,669	7.2	72,576	8.8	55.1	37.3
1950	150,597	14.5	88,964	22.6	59.0	41.3
1960	178,464	18.4	112,385	26.3	63.0	48.6
1965	192,185	N.A.	123,813	N.A.	65.0	51.9

Source: U.S. Bureau of the Census, *U.S. Census of Population: 1960 Selected Area Reports, Standard Metropolitan Statistical Areas* and *Current Population Reports*, Series P-20, No. 151, April 19, 1966.

The statistics included in this table attempt to summarize three relevant population trends: (1) the population within metropolitan areas has increased since 1900 at a more rapid rate than the United States population in general; (2) the proportion of the United States population living within metropolitan areas has increased since 1900 and is now 65 per cent of the total; and (3) the proportion of the population within metropolitan areas living outside the central cities has increased considerably since 1940, when it was at approximately the same level that it was at the turn of the century.

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[18] See Adna F. Weber, *The Growth of the Cities in the Nineteenth Century* (New York: The Macmillan Company, 1899) and Blake McKelvey, *The Urbanization of America, 1860-1915* (New Brunswick: Rutgers University Press, 1963), particularly pp. 232-238.

This latter development, in terms of our immediate interest, is the most significant since it hints at an important population characteristic of the metropolitan process: the decentralization of population from the central city to areas outside the central city. This trend is illustrated more clearly and specifically in Table 4 which shows the shift in population in both sectors of the fifteen largest metropolitan areas for the decade 1950-1960. The central cities of these areas, with the exception of Milwaukee, Los Angeles, and the Southern cities, all experienced a decline in population during the ten-year period while their outside central city areas all underwent substantial population increases. Although these figures are for only fifteen of the 212 metropolitan areas in 1960, they are generally representative of national patterns. The Southern and Western metropolitan areas have experienced both central city and outside central city growth; however, in the other sections of the country the large central cities have tended to either remain at their

1950 population level or decrease, while their suburban areas have increased in population.[19]

TABLE 4

POPULATION GROWTH IN CENTRAL CITY AND OUTSIDE CENTRAL CITY AREAS FOR 15 LARGEST SMSA'S: 1950-1960

	Central City		Outside Central City	
	1960 (000)	Percent Increase Since 1950	1960 (000)	Percent Increase Since 1950
New York	7,781,	- 1.4	2,912,	75.0
Chicago	3,550,	- 1.9	2,670,	71.9
*Los Angeles	2,823,	27.1	3,919,	82.6
Philadelphia	2,002,	- 3.3	2,340,	46.3
Detroit	1,670,	- 9.7	2,092,	79.3
Baltimore	939,	- 1.1	787,	72.4
Houston	938,	57.4	304,	44.8
Cleveland	876,	- 4.2	920,	67.2
Washington	763,	- 4.8	661,	87.0
St. Louis	750,	- 12.5	1,310,	51.9
Milwaukee	741,	16.3	452,	41.7
**San Francisco	1,159,	- 4.5	1,075,	55.0
Boston	697,	- 13.0	1,892,	17.6
Dallas	679,	56.4	403,	30.7
New Orleans	627,	10.0	240,	109.6
United States (all SMSA's)	58,004,	10.7	54,880,	48.6

*Includes Long Beach

**Includes Oakland

Source: U.S. Bureau of the Census, U.S. Census of Population: 1960. Vol. I, Characteristics of the Population, Part A. Number of Inhabitants, Table 33.

These population trends alone carry implications for education. The rapid increase of population in the outside central city area, particularly of married couples with young children, put a tremendous strain on the educational facilities available in these areas and was responsible, in part, for the large capital expenditures of suburban school districts during the 1950's. However, these basic population trends take on even greater significance for the education function when they are examined in relation to such factors as race, income, and educational attainment. Examined in these terms, it becomes apparent that the redistribution of population within metropolitan areas has not occurred on a random basis. The population shift is not only a matter of number of people, it also involves a sorting-out process. In general, it is the poor, less educated, non-white Americans who are remaining in the central city and the higher income, better educated, whites who are moving out, although this description must be qualified somewhat in terms of the size of the metropolitan area and the region of the country in which it is located. The larger the metropolitan area, however, the more accurate is this description.

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[19] For a discussion of these regional differences see Alan K. Campbell and Seymour Sacks, Metropolitan America: Fiscal Patterns and Governmental Systems (forthcoming publication by Free Press, 1967).

A look at Table 5 illustrates this point relative to the emerging racial composition of large central cities. It indicates that all of the largest central cities, regardless of whether they lost population or not since 1950, had a considerable increase in Negro population.[20] In addition, eleven out of the fifteen cities underwent a simultaneous loss of white population. Again, regional differences exist, but as the total line in the table shows central cities in general are becoming increasingly inhabited by Negroes.

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[20] This is not a new pattern; for a discussion of the 1940-1950 decade see Morton Grodzins, The Metropolitan Area as a Racial Problem (Pittsburgh: University of Pittsburgh Press, 1958).

TABLE 5

WHITE AND NEGRO POPULATION CHANGES IN
15 LARGEST CITIES; 1950-1960

	White Population		Negro Population		
	1960 (000)	Percent Change Since 1950	1960 (000)	Percent Change Since 1950	Percent of 1960 Total
New York	6,641,	- 6.7	1,088,	45.5	14.0
Chicago	2,713,	-12.8	813,	65.1	22.9
*Los Angeles	2,391,	19.4	344,	96.3	12.2
Philadelphia	1,407,	-13.3	529,	40.7	26.4
Detroit	1,183,	-23.5	482,	60.5	28.9
Baltimore	611,	-15.6	326,	44.6	34.7
Houston	721,	53.1	215,	72.4	22.9
Cleveland	623,	-18.6	251,	69.6	28.6
Washington	345,	-33.3	412,	46.6	53.9
St. Louis	534,	-24.0	214,	39.4	28.6
Milwaukee	676,	9.9	62,	186.9	8.4
**San Francisco	875,	-14.4	198,	73.5	14.3
Boston	629,	-17.1	63,	57.9	9.1
Dallas	548,	45.5	129,	126.9	19.0
New Orleans	393,	1.2	234,	28.5	37.2
All Central Cities	47,575,	4.7	9,704,	50.3	16.8

*Includes Long Beach

**Includes Oakland

Source: U.S. Bureau of the Census, U.S. Census of Population: 1960, Selected Area Reports, Standard Metropolitan Statistical Areas, Table 1.

This decrease in whites, who are generally middle class in their social and economic characteristics, and increase in Negroes, who are less economically affluent, presents central cities with a number of general problems and some specific educational problems.[21] If low income, for example, is related to educational achievement, and there is considerable evidence that it is, then the fact that central cities are becoming increasingly inhabited by Negroes has an important impact on the school system due to, among other things, the income characteristics of Negroes.[22]

It is a well known fact that Negroes earn less than whites in the United States. Specifically, the median income for all white income earners in 1959 was $3,027 per year compared to $1,519 for all Negro earners--about 50 per cent of the white income. More recent data indicate that the relative levels have not changed. In 1963 white male workers fourteen years and over earned $4,816 in contrast to $2,444 for Negro male workers, again about a 50 per cent difference.[23]

These income differences are reflected in data which compares the proportion of families earning less than $3,000 on a central city-outside central city basis. Central cities in general have a larger percentage of such families than do their suburban areas--18 per cent to 12 per cent. Even more significant, given the population trends we have discussed, is the fact that the population of central city non-whites with incomes under $3,000 is more than double the aggregate white proportion--14 per cent compared to 36 per cent.[24] Consequently, if present population shifts continue, and there is little evidence that they will not, it is clear that many central cities will become the principal location of the poverty groups discussed above.

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[21] For a comparison of relevant differences see U.S. Department of Labor, *The Economic Situation of Negroes in the United States* (Washington, D.C.: U.S. Government Printing Office, 1962); U.S. Bureau of the Census, *Current Population Reports*, Series P-20, No. 142, "Negro Population: March 1965," (Washington, D.C.: U.S. Government Printing Office, 1965); and U.S. Department of Labor, *The Negro Family: The Case for National Action* (Washington, D.C.: U.S. Government Printing Office, 1965).

[22] See Sexton, *op. cit.*; H. Thomas James, *et al*, *op. cit.*; and Burkhead, *op. cit.*

[23] U.S. Bureau of the Census, "Negro Population: March, 1965," *op. cit.*, and U.S. Department of Labor, *The Negro Family: The Case for National Action*, *op. cit.*

An examination of the data presented in Table 6 suggests another future characteristic of large central cities. It indicates that the 1960 proportion of the central city population twenty-five years and older with at least four years of high school was less than 40 per cent while in urban fringe communities the comparable figure was 52 per cent.[25] A glance at the last column in this table shows that this difference is likely to become even greater as the non-white proportion of the cities' population increases. These latter figures imply the possibility that something like 70 per cent of non-white central city students have parents with less than a high school education. Indeed, about 61 per cent of Negroes twenty-five years old and over had no more than eight years of schooling in 1960.

These income and educational characteristics of adult Negroes have several implications for school age Negroes. Coming from families with low income and educational levels they are less likely than the average middle-class white pupil to be exposed to an environment which

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[24] Negroes constitute 92 per cent of non-whites in the United States; thus the words are used interchangeably in this study.

[25] Urban fringe is that portion of the outside central city area which is most "thickly settled" according to criteria established by the Census Bureau.

TABLE 6

EDUCATIONAL ATTAINMENT OF PERSONS 25 YEARS OR OLDER IN 15 URBANIZED AREAS, BY RESIDENCE, BY COLOR: 1960

	Percent 4 Years of High School or More		
Urbanized Area	Central City	Urban Fringe	Central City Non-Whites
New York	36.4	48.7	31.2
Chicago	35.3	53.9	27.3
Los Angeles	53.4	53.4	43.6
Philadelphia	30.7	48.0	23.6
Detroit	34.4	47.5	26.5
Baltimore	28.2	42.3	19.7
Houston	45.2	50.1	26.2
Cleveland	30.1	55.5	28.1
Washington	47.8	67.5	33.5
St. Louis	26.3	43.3	20.2
Milwaukee	39.7	54.4	26.0
San Francisco	49.4	57.9	39.1
Boston	44.6	55.8	36.2
Dallas	48.9	56.4	25.2
New Orleans	33.3	44.6	15.0
Mean	38.4	52.0	28.3

Source: Computed from U.S. Bureau of the Census, U.S. Census of Population: 1960, General Social and Economic Characteristics (Washington, D.C.: U.S. Government Printing Office, 1961) and U.S. Census of Population and Housing: 1960, Census Tracts.

has material objects such as magazines, books, records, and a study area that aid a student's school performance or a value structure which stresses the importance of educational achievement. As the material in Table 7 points out, students with such a background make up a considerable proportion of the school population in large cities. In many respects they constitute the basic problem confronting these school districts because they require special educational services that central city school districts cannot support given their declining fiscal resources.[26] If the present population trends continue and if white families remaining in the central city continue to send their children to private schools in increasing numbers, as they presently are, then other central city school districts may be confronted with a school population that is over 75 per cent non-white, as is now the case in Washington, D.C., and encounter the problems which accompany such a school population composition.

TABLE 7

PERCENT NON-WHITE POPULATION CONTRASTED WITH PERCENT NON-WHITE SCHOOL ENROLLMENT FOR 15 LARGEST CITIES: 1960

	Percent Non-white of Total Population	Percent Non-white of School Population	Difference
New York	14.0%	22.0%	8.0%
Chicago	22.9	39.8	16.9
Los Angeles	12.2	20.5	8.3
Philadelphia	26.4	46.7	20.3
Detroit	28.9	42.9	14.0
Baltimore	34.7	50.1	15.4
Houston	22.9	30.2	8.7
Cleveland	28.6	46.1	17.5
Washington	53.9	77.5	23.6
St. Louis	28.6	48.8	20.2
Milwaukee	8.4	16.2	7.8
San Francisco	14.3	30.5	16.2
Boston	9.1	16.4	7.3
Dallas	19.0	26.0	7.0
New Orleans	37.2	55.4	18.2

Source: U.S. Bureau of the Census, U.S. Census of Population: 1960. Selected Area Reports. Standard Metropolitan Statistical Areas and General Social and Economic Characteristics: 1960.

This brief discussion has attempted to outline some of the salient aspects of postwar metropolitanization that are most relevant to the educational conditions existing in large cities. It is not being suggested that the process of metropolitanism and its consequences are unique to the 1961-1965 period; however, it is proposed that those aspects which were identified as being most pertinent to urban education became particularly visible in the mid-1960's. These factors were most explicitly related to the question of federal aid for education by its proponents during the 1965 congressional hearings. Before specifying how this was done, it is necessary to review several events which apparently stimulated the increased recognition of these conditions.

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[26] For a discussion of this point see Alan K. Campbell and Philip Meranto, "The Metropolitan Education Dilemma: Matching Resources to Needs," Urban Affairs Quarterly (September, 1966).

As noted earlier, the publication of Harrington's volume, The Other America, played an important role in stirring the renewed emphasis on American poverty. A book written by James Conant in 1961 entitled Slums and Suburbs performed a similar publicity function for calling attention to the status of large city education systems. In this slim but widely referred-to volume, Conant contrasts the dichotomous characteristics of public schools in what he designates as "city slums and wealthy suburbs." Placing his analysis within the metropolitan context we have discussed, he argues that:

> (W)e are allowing social dynamite to accumulate in our large cities . . . . The building up of a mass of unemployed and frustrated Negro youth in congested areas of a city is a social phenomenon that may be compared to the piling up of inflammable material in an empty building in a city block. Potentialities for trouble - indeed possibilities of disaster - are surely there.[27]

This view is based upon a number of characteristics which Conant attributes to schools in large central cities. In accordance with what we have already observed, he points out that the large Northern cities are increasingly being inhabited by low income and "inadequately" educated Negroes, many of whom have recently moved from the rural sections of the South. Their children, who are in need of special educational training and services because of their background, are becoming a larger and larger proportion of the school population in these cities. This increase in need has put the city schools at a disadvantage because of the financial condition of cities relative to their suburban areas. Conant argues that while wealthy suburban school districts can afford to support per pupil expenditures of $1,000 per year, big city school districts, with their needy student body, spend less than half that amount. In addition, suburban districts generally have spacious and well-equipped modern school plants manned by as many as 70 professionals per 1,000 pupils in contrast to city slum schools which often are overcrowded, dilapidated structures staffed by 40 or fewer professionals per 1,000 pupils.[28]

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[27] James B. Conant, Slums and Suburbs: A Commentary on Schools in Metropolitan Areas (New York: The New American Library, 1961), pp. 10 and 24.

There is no doubt that Conant, as he admits, selected extreme cases and somewhat oversimplified comparisons to illustrate his point. However, the significant fact is that his depiction of the educational problems in city schools as contrasted to those in suburban schools was accurate enough to gain widespread attention and comment. While this book was being read, reviewed, and referred to, another set of circumstances was simultaneously gaining momentum and also appears to have done much to attract public attention to the educational situation in large cities. The reference here is to the accelerated pace of the civil rights movement during this period and its role in highlighting the predicament of urban schools and Negroes in American society.

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[28] Conant, op. cit., pp. 11-12.

IV. The New Thrust of Civil Rights

The plight of the American Negro has been related too well and too often by others to be profitably repeated here. Rather than reiterate an account of the historical factors which have contributed to the status accorded to Negroes in the United States and earlier attempts made by them and others to improve their situation, this section will focus, due to the nature of this study, on some of the more recent efforts made to grant Negroes an equal opportunity to take their rightful part in the social, economic, and political life of the society.

It is of course difficult to date with any certainty the beginning of the current phase of the civil rights movement, but surely two events which occurred in the mid-1950's gave an important impetus to the recent struggle. The first event was the historic decision rendered by the United States Supreme Court on May 18, 1954, in the case of *Brown* v. *Board of Education of Topeka*. Writing for a unanimous court, Chief Justice Earl Warren stated that " . . . in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."[29] Although the Court's implementing decree did not command the immediate admission of Negro pupils to schools from which they had been previously barred, it did state that the transition to a racially non-discriminatory school system should be accomplished "with all deliberate speed." Certainly many proponents of school desegregation must be less than pleased with its pace, particularly in the deep South where little more than 2 per cent of all Negro students are attending schools with whites; however, it is reasonable to suggest that the *Brown* v. *Board of Education* decision established an important principle in the field of civil rights and provided renewed energy for its advocates.[30]

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[29] Quoted in U.S. Commission on Civil Rights, *Freedom to the Free* (Washington, D.C.: U.S. Government Printing Office, 1963), p. 147.

In the winter of 1955-56 another occurrence gave the civil rights movement an additional injection. Led by the young Baptist minister, Martin Luther King, Jr., who preached the strength of non-violent resistance, the Negroes of Montgomery, Alabama, staged a bus boycott which gained national attention. King and his organization, the Southern Christian Leadership Conference, stressed the strategy of mass, but peaceful, action which brought Negroes into the streets to press their case for equality. In contrast to the methods of such organizations as the National Association for the Advancement of the Colored People, which generally pursued objectives through the courts or through quiet negotiation, the new approach began the current mode of involving large numbers of Negroes in demonstrations.

Further momentum was gained in February, 1960, when four Negro students at the Agricultural and Technical College in Greensboro, North Carolina, sat down at a lunch counter and were denied service.

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[30] See Bayard Rustin, "From Protest to Politics: The Future of the Civil Rights Movement," in Louis A. Ferman, *et al* (eds.), *op. cit.*, pp. 457-470.

They decided to stay in their seats until the diner closed thus initiating the "sit-in" and bringing into prominence another civil rights organization, the Congress of Racial Equality. The sit-ins eventually led to kneel-ins, pray-ins, stall-ins, and other forms of non-violent protest. By the spring of 1961, Negroes and whites rode together through the South on "Freedom buses," demanding their legal rights to share alike in the restaurants, waiting rooms, and rest rooms at interstate rail and bus terminals.[31]

Intensity of action reached an all-time high during April and May of 1963 in Birmingham, Alabama. Described by King as "(T)he most thoroughly segregated big city in the U. S.," Birmingham became the target for a macs non-violent campaign to end discrimination in restaurants, shops, and employment. Marchers met up with an ardent advocate of segregation in Police Commissioner Eugene "Bull" Connor who secured an injunction against the march. Connor and his deputies met the marchers daily and arrested hundreds of them. King himself was jailed on Good Friday, April 12, and by Easter Sunday happenings in Birmingham became the focus of national attention. During the first week of May, daily newspapers and evening television programs showed the marchers, including many women and children, being snapped at by police dogs and thrashed by powerful fire hoses. The police dogs and fire hoses of Birmingham became, as Theodore White has suggested, the symbols of the American Negro revolution and, in a sense, the symbols which pricked the conscience of the nation.[32] Indeed, it is reported that President Kennedy often said, "The civil rights movement should thank God for Bull Connor. He helped it as much as Abraham Lincoln."[33]

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[31] The Interstate Commerce Commission had ruled in 1955 that the segregation of interstate transportation facilities was illegal.

[32] Theodore H. White, *The Making of the President, 1964* (New York: Atheneum Publishers, 1965). See pp. 170-199 and 232-254 for an interpretation of the impact of the civil rights movements on national presidential politics.

Although the new push for civil rights was initiated in the South, it gained sufficient momentum to make the issues equally important and dynamic in the Northern and Western urban centers. The social and economic problems confronting Negroes in the major central cities seemed to become more conspicuous during this period. Repeatedly, the question was raised concerning the extent to which the schools were perpetuating, instead of reducing, the problem.

Evidently, some Negroes and Negro organizations felt that the schools were doing more to perpetuate the problems than to solve them. In 1964, for example, a series of school boycotts were conducted by Negroes in New York City, Chicago, and several other cities. Protesting the existence and spread of what has come to be called *de factor* school segregation, the boycotters argued that more and more Negro students were being forced to attend schools exclusively or predominantly populated by Negroes.[34] Although some acknowledged the point that the increase in *de facto* segregation was related to the changing population composition of the cities, the protesters stressed the point that the increase was due to the past gerrymandering of school district lines by school officials and the present lack of redistricting or other corrective methods by officials which would result in racially balanced schools. In addition, they pointed out that schools with large non-white student bodies are generally second-rate; they are more likely than "white" schools to be overcrowded, old, dilapidated, and lacking in educational equipment. More importantly, they also tend to be staffed by less qualified teachers, many of whom are substitutes which seldom are willing to go or remain in a "slum" school if they can help it. It was, and still is, argued that Negro pupils as a result of these factors are receiving less than an equal opportunity to achieve an adequate education. Not trusting that predominantly non-white schools will or can be upgraded, Negro spokesmen have continued to press for integrated schools based on the proposition that this is the only means to insure quality education for Negro youngsters.[35]

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[33] Quoted in Theodore C. Sorensen, *Kennedy* (New York: Harper and Row Publishers, 1965), p. 489.

[34] For an analysis of the New York boycotts, see Bert E. Swanson, *Social Integration Controversies in New York City* (Washington, D.C.: Office of Education, Cooperative Research Project No. 2857, 1965). Also see Robert L. Crain, *School Desegregation in the North* (Chicago, National Opinion Research Center, 1966) for a discussion of the politics of school integration in eight large cities.

The validity of the criticisms leveled at the schools by protesters and the usefulness of the strategies they have utilized to pursue their goals are complex issues which will not be explored here. More central to the concern of this study is the fact that all of the boycotts, demonstrations, public meetings, newspaper articles, books, and television broadcasts which have dealt with these issues have performed the function of focusing public attention and concern on the circumstances surrounding central city schools.

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[35] Literature on this general issue is voluminous. For some selected discussions see Nathan Glazer, "Is Integration Possible in the New York City Schools?" *Commentary*, September, 1960; Will Marlow, "De Facto Public School Segregation," *Villanova Law Review*, Spring, 1961; Daniel Levine, "City Schools Today: Too Late with Too Little," *Phi Delta Kappan*, Spring, 1961; Jeremy Larner, "The New York School Crisis," *Dissent*, Spring, 1964; Charles E. Silberman, *Crisis in Black and White* (New York: Random House, 1964), Chapter 9, "The Negro and the School!" and Martin Mayer, "Close to Midnight for the New York Schools," *New York Times Magazine*, May 2, 1965.

This action, in both the Southern and Northern regions of the country, has made the current civil rights movement one of the central forces of social change in contemporary America. In addition to this general influence, a strengthened civil rights movement has had an important bearing on the topic of this investigation in two specific ways: (1) it promoted the enactment of the Civil Rights Act of 1964 which eventually undercut an issue which had previously complicated the passage of federal aid to education bills and (2) it called renewed attention to the relative circumstances of Negroes in America, particularly in relation to the educational opportunities available to Negro youngsters in the cities.

The initial action to press for additional civil rights legislation began during the Kennedy Administration. President Kennedy, after much consultation with various parties and deep consideration for its possible influence on the enactment of other key programs, sent his civil rights bill to Congress on June 19, 1963.[36] Reiterating statistics he had used in his opening debate with Presidential candidate Richard Nixon and his Civil Rights Message of February, 1963, the President noted:

> The Negro baby born in America today, regardless of the section of the nation in which he is born, has about one-half as much change of completing high school as a white baby born in the same place on the same day, one-third as much chance of completing college, one-third as much

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[36] For insightful accounts concerning the political issues surrounding civil rights, the type of bill proposed, and its timing, see Sorensen, op. cit., pp. 470-506, and Arthur M. Schlesinger, Jr., A Thousand Days: John F. Kennedy in the White House (Boston: Houghton Mifflin Company, 1965), pp. 924-977.

> chance of becoming a professional man, twice as much chance of becoming unemployed, about one-seventh as much chance of earning $10,000 a year, a life expectancy which is seven years shorter, and the prospects of earning only one-half as much.[37]

Among other things, the legislation called for a variety of reformulations in the voting rights laws, governmental authority to file suit to desegregate public accommodations, a provision which would supply the Attorney General the power to initiate school desegregation suits, additional programs to assure fair employment, and a provision authorizing the Federal government to withhold funds for programs in which discrimination was practiced.

During his first appearance before the United States Congress following the assassination of President Kennedy on November 22, 1963, President Johnson urged "the earliest possible passage of the civil rights bill for which he [President Kennedy] fought so long." The bill was passed in the House of Representatives by a two-to-one margin in February, 1964. After a filibuster of almost three months, the Senate took the unprecedented step of voting to curtail a filibuster against civil rights legislation. The Senate bill was altered to place more stress on local enforcement and the House accepted the bill as modified by the Senate. Before a nationwide television audience President Johnson signed the bill into law on July 2, 1964.

Under Title VI of the 1964 Civil Rights Act no program or activity receiving federal assistance may discriminate against persons because of race, color, or national origin. If such practices are verified by a federal agency and not voluntarily terminated, the agency is authorized to halt the distribution of funds to the unit involved after providing an opportunity for a hearing and after giving the appropriate legislative committees thirty days' notice.

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[37] Quoted in Sorensen, op. cit., p. 472.

The inclusion of this provision in legislation passed six months before Congress began its hearings on the Education Act of 1965 generally eliminated from the sphere of discussion a controversial issue--the granting of federal aid to segregated education systems--which had in recent years been one of the key factors hindering the creation of a solid coalition of federal aid proponents.

Since 1950 the National Association for the Advancement of the Colored People (NAACP), which has supported federal aid for education since it was organized, has insisted that any education aid program include a stipulation barring federal funds to segregated schools.[38] Testifying before the House Subcommittee on Education in 1961, Clarence Mitchell, director of the Washington Bureau of the NAACP, made it clear that this position was not subject to compromise when he stated:

> We shall never cease to resist the dishonest and undemocratic idea that the taxpayers of all the States should be called upon to build segregated schools in a few states; nor shall we be silent when such proposals are made.[39]

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[38] Prior to 1950 the NAACP had stressed the equal distribution of funds among schools. See Frank J. Munger and Richard F. Fenno, Jr., National Politics and Federal Aid to Education (Syracuse: Syracuse University Press, 1962), pp. 65-72.

[39] House Committee on Education and Labor, Federal Aid to Schools, p. 666.

Other advocates of federal aid, to the dismay of the NAACP, have been more willing on occasion to concede the point in their enthusiasm to attract Southern support for school aid bills. Although condemning segregation in schools, many of the groups (such as the National Education Association and the AFL-CIO) have opposed, at one time or another, an anti-segregation amendment to pending bills. Even Negro congressmen have previously split on the issue; Representative Adam Clayton Powell has often introduced or threatened to introduce such an amendment and has been supported by Representative Charles Diggs of Detroit but opposed by Representative William Dawson of Chicago.[40]

However, the existence of the Civil Rights Act of 1964 during the 1965 congressional hearings and floor debates on education aid meant that dissension among supporters of aid resulting from the segregation issue was no longer a potential threat to the creation of a cohesive proponent coalition. It also eliminated the possibility of non-Southern opponents of aid voting for the inclusion of a segregation amendment and then turning around to vote against the bill on a final roll call as was the case in 1956 and 1960. Consequently, the civil rights legislation of 1964 represents an excellent example of how a previous output of the political system may have a feedback affect on the current political process.

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[40] James Q. Wilson, Negro Politics: The Search for Leadership (New York: The Free Press, 1960), pp. 114-115.

V. The Rationale for Federal Aid to Education: The 1965 Version

In this review of poverty, metropolitanism, and civil rights an attempt has been made to specify the nature of three environmental changes which occurred in American society during the early 1960's. The remaining task is twofold: to demonstrate how these environmental changes were utilized by the proponents of school aid in 1965 in constructing their new argument for federal support of education and to make some assessment of the effectiveness of this approach in promoting the passage of the 1965 legislation.

The first overt public hint concerning the kind of federal aid to education program which would be presented for consideration to the 89th Congress was given by President Johnson in his State of the Union Message on January 4, 1965. Reviewing the national agenda, the President stated: "I propose we begin a program in education to insure every American child the fullest development of his mind and skills." Later in the Message he elaborated slightly by saying: "For the primary and secondary school years we will aid public schools serving low-income families and assist students in both public and private schools."[41]

The premises and dimensions of the elementary and secondary program were more explicitly put forth by the President in his education message to the Congress a week later on January 12, 1965.

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[41] U.S. Senate Committee on Labor and Public Welfare, Elementary and Secondary Education Act of 1965: Background Material with Related Presidential Recommendations (Washington, D.C.: U.S. Government Printing Office, 1965), pp. 5 and 7.

After reviewing American accomplishments in the field of education and the nation's dependence on a strong educational system, the President declared, "There is a darker side to education in America." He included in this view the student dropout rate, the growing unemployment of young people with an eighth grade education or less, the proportion of students not able to pursue a higher education, the growth of enrollment at the elementary and secondary level, and the need for facilities to meet this growth.

Referring to education as "(T)he No. 1 business of the American people," the President outlined his programs.

In the section devoted to elementary and secondary education he noted that, in the past, six or seven years of schooling did not seriously restrict an individual's opportunities, "but today, lack of formal education is likely to mean low wages, frequent unemployment, and a home in an urban or rural slum."

The President continued his message by describing the relationship between a deficient education and poverty. He remarked:

> Poverty has many roots, but the taproot is ignorance: Poverty is the lot of two-thirds of the families in which the family head has had 9 years or less of schooling.
>
> Twenty percent of the youth aged 19 to 24 with an eighth-grade education or less are unemployed--four times the national average.[42]

He continued by stressing the point that poverty is not evenly distributed throughout the nation thus presenting special educational problems for areas with disproportionate levels. Here the linkage was made between poverty and cities. The pattern was summarized by the

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[42] *Ibid.*, p. 14.

President in the following terms:

> The burden on the Nation's schools is not evenly distributed. Low-income families are heavily concentrated in particular urban neighborhoods or rural areas. Faced with the largest educational needs, many of these school districts have inadequate financial resources. This imbalance has been increased by the movement of high income families from the center of cities to the suburbs--and their replacement by low-income families from rural areas.
>
> Despite a massive effort, our big cities generally spend only about two thirds as much per pupil as their adjacent suburbs.
>
> In our 15 largest cities, 60 percent of the 10th grade students from poverty neighborhoods drop out before finishing high school.
>
> This is a national problem. Federal action is needed to assist the States and localities in bringing the full benefits of education to children of low-income families.[43]

The recommended national response to these conditions was Title I of the Elementary and Secondary Education Act of 1965. As noted previously, this is the key title of the Act. It provides federal funds to school districts based on the number of 5 to 17-year-old children from families with an annual income below $2,000 or with a higher income as a consequence of aid to dependent children relief payments multiplied by 50 per cent of the average per-pupil expenditure in the state during the school year 1963-64.

In order for a school district to receive the funds allocated to it on the basis of this formula, it must take an assessment of the educational needs of low-income students, both public and private, in its district and design special programs to assist these students. Once the plans are formulated they are submitted to the State Department of Education for review; if the State approves the plans the funds authorized are forwarded to the local school district. The State Education Department is responsible for seeing that the plans are carried out and for providing the Federal Office of Education with evaluative reports.

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[43] Ibid., pp. 14-15.

In addition to recommending a program of assistance to schools serving children of low-income families, the President also recommended a program to authorize grants to assist States in the purchase of books for school libraries (Title II), a proposal to provide federal funds for the establishment of supplementary education centers and services within communities (Title III), the creation, under the Cooperative Research Act, of regional educational laboratories to undertake research, train teachers, and implement tested research findings (Title IV), and a program to provide federal assistance to strengthen State education departments (Title V).[44]

Hearings on the Administration's bill were held before the respective congressional committees during the last week of January and the first week of February, 1965. The leading Administration witnesses were, of course, the Secretary of Health, Education, and Welfare, Anthony J. Celebrezze, and the Commissioner of Education, Francis Keppel.

Speaking before the House Subcommittee on Education on January 22, Secretary Celebrezze reviewed the President's request and described it as "something new and different in magnitude, in concept and in direction . . . . It is a major innovation from Federal proposals and policies in recent decades, particularly with respect to elementary and secondary education."[45] Quoting the President's remarks on poverty in America, the Secretary noted: "The President's program as embodied in H.R. 2362 is designed to break this cycle which has been running on from generation to generation in this most affluent period of our history."

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[44] More will be said about these other titles of the Act as they relate to the political issues that are discussed in Chapters III and IV.

In a similar fashion to the President's Education Message, the Secretary sketched the relationships among poor education and poverty, unemployment, delinquency, and crime. He continued by stressing the seriousness of the dropout problem and the concentration of poverty in the cities and rural areas.

> The cause of these dropouts, and the despair and disillusionment that characterize them, is not so much that students have failed education as that education, as they have found it, has far too often failed them.
>
> Education's deficiencies, we have come to recognize, are nowhere more marked than in the poverty of the schools that serve the children of the poor--in the heart of our great cities and in many rural communities. In the case of these cities and communities, poverty reduces local resources to the peril point. Because the tax base is low, funds for education are inadequate and the schools and the children suffer.[46]

The testimony of Commissioner Keppel emphasized the correlations among poverty, undereducation, unemployment, and the lack of financial resources of cities and rural areas to meet their educational needs. Referring to the President's proposal to meet these problems he said:

> The new program dramatically parts company with education proposals and policies of the past . . . . It provides aid to students in elementary and secondary schools

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[45] House Committee on Education and Labor, Aid to Elementary and Secondary Education, 89th Congress, 1st Session (1965), p. 65.

[46] Ibid., p. 66.

> to a larger degree than ever before proposed. It gives special and long-needed attention to the education of the children of the poor who need the best our schools can give and who usually have received the worst. . . . It commits education to end the paralysis that poverty breeds, a paralysis that is chronic and contagious and runs on from generation to generation.[47]

The Commissioner supported his testimony by submitting the partial results of several studies which indicate the relationship between income and educational attainment. This relationship was illustrated by reference to a study of Tucson, Arizona, in which the forty-five census tracts of the city were divided into five major groups on the basis of proximity and similarity of income, educational achievement, and housing conditions. As Table 8 indicates, the census groups with the lowest family income had the lowest percentage of high school graduates and the highest dropout rates.

TABLE 8

DROPOUT AND GRADUATION RATES IN TUCSON PUBLIC HIGH SCHOOLS, 1960-61, AND SOCIO-ECONOMIC DATA BY GROUPS OF CENSUS TRACTS, 1960

Census Group	Total Pop.	Median Yrs. of School	Median Income	% of Students Enrolled Who Dropped Out	% of Students who Graduated from H.S.
I	28,195	8.4	$3,669	17.1	37
II	44,052	10.2	4,726	10.5	58
III	39,996	11.8	5,308	10.4	75
IV	47,863	12.3	5,873	7.0	70
V	80,367	12.6	6,804	3.7	90

Supplementing the development of the bill's rationale as constructed by the President, the Secretary, and the Commissioner was the testimony of large city school superintendents. Several superintendents, representing fourteen large cities,[48] were divided into two groups: one to appear before the House committee, the other before the Senate. Each superintendent briefly discussed the kinds of problems confronting large city school systems. They usually illustrated their points with references to conditions in their own districts and commented on how the legislation under review would aid in mitigating some of the problems.

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[47] *Ibid.*, p. 83.

The summary statement presented by Dr. Benjamin C. Willis, Superintendent of Chicago Schools, and moderator of the panel appearing before the Senate, is typical of the case presented by the large city representatives before the committee members. He concluded his testimony by stating:

> To summarize, I would say that the great cities of America are confronted by unique educational problems:
> (1) Well-educated and highly skilled people are moving out of the city.
> (2) Their places are being taken by large families from the rural South.
> (3) In the midst of rapidly developing technological advances, the adults among the newcomers have little education and limited vocational skills.
> (4) The children, retarded in academic achievement, and lacking in motivation for school, require specialized programs of education if they are to overcome the disadvantages imposed upon them by their limited backgrounds.
> (5) Programs to meet the needs of disadvantaged children have been successfully demonstrated in each of the great

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[48] The cities included were Baltimore, Boston, Buffalo, Chicago, Cleveland, Detroit, Houston, Los Angeles, Milwaukee, New York City, Philadelphia, Pittsburgh, San Francisco, and St. Louis. They represent 27 million people and about 11 per cent of all public school students. It is of interest to note the cities voted overwhelmingly Democratic in the 1964 Presidential election; the largest Republican proportion was recorded in Los Angeles, 35.4 per cent.

cities but these cannot be extended to serve all of the children in need because of lack of financial resources.

(6) Local support of education comes largely from taxes on property; 12 cities pay well over 60 percent of the cost of operating their schools from local taxes.

(7) By 1965 enrollments in the schools of the great cities will have increased 48.6 percent over 1950, and these enrollments include large numbers of pupils requiring costly specialized programs.

(8) Site and construction costs are considerably higher in the large cities than in smaller communities.

(9) A large portion of the tax dollar in the great cities is required for nonschool governmental services.

(10) In the face of increased need for financial resources, there is a smaller assessable tax base behind each child in the schools in the great cities than ever before.

(11) The sharing of taxes from other sources and from other levels of government is required in order for the great cities to provide opportunities for their children, each in accordance with his need.[49]

More testimony could easily be included to denote the kind of rationale utilized to support the request for federal aid for elementary and secondary education in 1965, but certainly the point is already obvious. The argument was clearly presented in terms of poverty and the consequences of metropolitanism, thus departing considerably from past approaches. The question which remains is how effective was this new approach in influencing congressmen to support the legislation.

VI. Conclusions

Any attempt to answer this question immediately encounters the difficulty of isolating the influence of the rationale underpinning the bill from other factors that congressmen consider as they cast their votes, such as the preferences of their party leaders, their constituents, their close colleagues, their state delegation, the executive, interest groups and their own personal predispositions. Just how influencial any one of these factors is at the time of a particular vote is extremely difficult to ascertain. Perhaps the safest statement possible is that each vote results from a slightly different mixture of all these factors.

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[49] Senate Committee on Labor and Public Welfare, Elementary and Secondary Education Act of 1965, 89th Congress, 1st Session, pp. 1210-1211.

No pretense will be made here of introducing a technique which claims to untangle and weigh these factors relative to the vote on federal aid to education in 1965. Instead, at this point we include some observations on how the new rationale strengthened the possibilities of passing the school aid bill. Later, in Chapter IV, data is presented which illustrates that the party variable played an important part in influencing the final vote. However, the party factor is not sufficient to account for the voting pattern on education aid in 1965. Consequently, the party voting analysis is supplemented by additional empirical data which suggests that the rationale and features of the bill which have been discussed helped secure congressional votes for the legislation which cannot be explained by the party variable.

The first and most obvious observation has already been noted: the rationale for federal aid to education was presented in a novel and apparently refreshing manner. After many years of listening to essentially the same witnesses reiterating essentially the same statistics showing either the existence of or lack of an education "crisis" revolving around enrollments, classroom shortages, teacher shortages, and state-local tax resources, congressmen certainly must have welcomed the change in presentation if for no other reason than variety. One close observer of the 1965 action suggested that the new approach at least did not doom the bill before congressional consideration as a construction and/or teacher salary bill might have. In a conversation with this researcher he remarked:

> If we had brought a construction or salary bill to the Hill I doubt if it would have had much of an impact--they [the Congressmen] would have said: 'So, what else is new?' As it was, they at least had something new to bat around.[50]

Novelty alone, of course, is not enough to gain political support for a bill. The rationale, whether old or new, which supports a legislative proposal must be presented in terms which are likely to convince legislators that positive action is necessary. In this sense, the rationale used in 1965 was clearly an improvement over earlier proponent arguments. It effectively focused on educational problems which were undisputedly acute. Whereas opponents of federal aid to education could bring forth reams of statistics, as they did in the past, to "demonstrate" that the classroom and teacher "shortage" was being sufficiently dealt with by state and local resources, they were unable to cast doubt on the seriousness of the education problems involving poverty-stricken students. The persuasiveness of the poverty approach is indicated by the fact that some congressional opponents of the bill (and federal aid in general) argued that the legislation was deficient because, among other reasons, it did not concentrate sharply enough on aiding poor students.[51] Whether this argument was made in good faith is difficult to determine, but one fact appears clear; it was ideologically difficult for opponents to be publicly opposed to providing aid so that poverty-stricken children could receive an adequate education which would allow them to take responsible economic roles in the future instead of becoming public wards.

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[50] This and following unattributed quotations are from interviews conducted with various individuals who were involved with the Education Act of 1965. The interviews were held in March, 1966. The questions were open-ended, no notes were taken during the interview, and the quotations are derived from notes made immediately after each interview. The respondents were told that their comments would not be identified.

Not only did the new rationale weaken the posture of the opposition, but it also helped to unite the proponents of federal support for education. Aiding disadvantaged students in urban and rural slums was a program that all long-time proponents could back with some enthusiasm. Presentation of the legislation in these terms averted a repetition of past occurrences which witnessed major supporters of federal aid disagreeing among themselves over the question of whether aid should be for classroom construction or teachers' salaries or both. The cohesion among proponents, which is a basic prerequisite for legislative success, was from all the available evidence as high as it has been in recent years and must be explained, in part, by the context in which the program was presented.

It appears that the rationale used encouraged the passage of the bill in still other ways. By utilizing the poverty theme, it is likely that the Education Bill profited from the political momentum of the overall anti-poverty program. As noted earlier, poverty legislation became the first and one of the key cornerstones of the Johnson Administration and its pursuit of the Great Society. The Economic Opportunity Act was passed in August of 1964 by a Congress which had fewer liberal Democrats than the 89th. Consequently, it is not unreasonable to suggest that legislation presented in 1965 and linked to poverty would be most attractive to the many congressmen who profited by the Johnson landside in November of 1964 since the President himself was deeply committed to battle poverty and its consequences. Additionally, it is important to note that the poverty formula used to allocate funds to 95 percent of the nation's counties meant that every congressional district would qualify for some school aid.

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[51] See, for example, the minority report in the Senate Committee on Labor and Public Welfare, Elementary and Secondary Education Act of 1965, Report, 89th Congress, 1st Session, April, 1965, and Congressional Record, March 25, 1965, pp. 5592-5597.

Although the point was not particularly stressed during the congressional hearings or debates, it was no secret that the funds made available under Title I of the 1965 Education Act would be allocated disproportionately to aid Negro students since a large percentage are from families with relatively low incomes. Representative Howard Smith (D., Va.) reminded the House of this fact when he commented on the floor:

> You know, this bill got its steam out of the hysteria that is going on now relative to the minority race. They are the ones they say need education in order to put them on a basis of first-class citizenship.[52]

From the proponent perspective, this fact appears to be another strength of the context in which the bill was presented in 1965.

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[52] Congressional Record, March 25, 1965, p. 5553.

By providing aid to disadvantaged students in general, the legislation also represented an indirect response to the civil rights movement discussed above. The bill provided the Congress with a vehicle for at least partially satisfying the needs of Negroes without appearing to "knuckle under" to the demands of civil rights groups.

This chapter has attempted to illustrate that three environmental changes, which became particularly visible and relevant to education in the mid-1960's, were utilized by the proponents of federal school aid to develop a new rationale to bolster their agreement for greater federal assistance to the education function. The results would suggest that in this instance the proponents of aid were particularly skillful in relating their political demands to acute social conditions. This shift in rationale constitutes the introduction of new legislative inputs relative to national education policy which helped promote the enactment of the new policy under consideration.

In the two chapters that follow an examination is made of additional sources of environmental change. First a discussion is presented concerning demand articulators as represented by constituents and organized groups. This discussion is followed by an investigation of changes which occurred in relation to the major political parties, the President, and the issue of federal school aid.

CHAPTER III

DEMAND ARTICULATORS: CONSTITUENTS AND ORGANIZED GROUPS

I. Constituents and Federal Aid for Education

The relationship between a representative and his constituency cuts across several normative and factual issues in political science. At the normative level, for instance, exists the Burkean question concerning the extent to which the representative should serve his constituency's interest but not their will. At the factual level exists the empirical problem of determining the actual nature of the relationship between a representative and his constituency.[1] Underpinning both of these perspectives is the basic conception that there is an influential linkage between the represented and their representatives. Relative to this approach, the attitudes of constituents on various public policy issues as perceived by their representative, constitute one, and perhaps the most important, political input influencing his decision-making behavior. Consequently, the behavior of a congressman toward a measure such as federal aid to education may be explained, in part, by his perception of his constituency's attitudes on the question.

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[1] See, for example, Julius Turner, Party and Constituency: Pressures on Congress (Baltimore: Johns Hopkins Press, 1951); Lewis A. Froman, Congressmen and Their Constituencies (New York: Random House, 1963); Warren E. Miller and Donald E. Stokes, "Constituency Influence in Congress," American Political Science Review, Vol. LVII (March, 1963), 45-56; Lewis Dexter, "The Representative and His District," in Robert Peabody and Nelson Polsby, New Perspectives on the House of Representatives (Chicago: Rand McNally & Company, 1963), pp. 3-29; and Charles F. Cnudde and Donald J. McCrone, "The Linkage between Constituency Attitudes and Congressional Voting Behavior: A Causal Model," American Political Science Review, Vol. LX (March, 1966), pp. 66-72.

According to this framework, changes in policy outputs would result from actual changes or perceived changes in the attitudes of the population, the recognition of these alterations by congressmen, and a decision by the representatives to react in harmony with the shift. Unfortunately, utilization of this framework to explain the change in national education policy is complicated by a number of factors, including the lack of data on a district by district basis and the changing membership composition of the national legislature. These factors preclude an analysis which would attempt to explain the vote of individual congressmen on the Education Act of 1965 in terms of changing constituency attitudes on federal aid to education. It is possible, however, to explore the nature of nationwide public attitudes on federal school aid and relate this information in a rough manner to congressional action on the issue. Since the unit of analysis in this study is the entire national legislative system, it is reasonable to use national constituency attitudes as inputs into the system and possible sources of innovation.

The approach to this topic will be structured around several questions: (1) What have been the historical national attitudes toward general federal aid to education? (2) What have been the national attitudes concerning aid to non-public schools? (3) Is there evidence to indicate that these attitudes changed between 1961 and 1965? (4) If so, to what extent can the enactment of the 1965 Education Act be linked to these changes?

Several national public opinion polls have been conducted by various survey organizations since the 1940's which provide data concerning attitudes toward federal aid to education. Table 9 summarizes the results of the available surveys taken since 1943. It indicates that for the period 1943 to 1961, approximately six to seven out of every ten individuals interviewed have expressed approval of federal aid while about two out of every ten have specified disapproval. However, this considerable majority favoring federal aid seems to have diminished by 1965, precisely at the time that Congress enacted legislation. This rather surprising development obviously raises some questions about the relationship between public attitudes and congressional policy making.

TABLE 9

NATIONAL PUBLIC OPINION SURVEYS CONCERNING GENERAL FEDERAL AID TO EDUCATION: 1943-1965

Date	Percent In Favor of Federal Aid	Percent Opposed to Federal Aid	Percent With No Opinion
1943	72%	18%	10%
May, 1948	77	13	10
Dec., 1948	61	23	15
1949	66	24	10
1950	66	24	10
1955	68	24	8
Jan., 1957	76	19	5
1959	77	16	7
1961	73	20	7
1964*	40	58	2
1965	49	42	9

*Excludes 258 which indicated no interest in the issue out of a total sample of 1571.

Source: American Institute for Public Opinion, 1948; 1949; 1955; 1961; 1965; Elmo Roper and Associates, 1950; National Opinion Research Center, 1943; Survey Research Center, 1959; 1964.

At first glance this information would imply that there existed a long-time solid support for federal aid that was thwarted by the failure of the national legislature to enact a program and that when the public support decreased considerably the legislature acted. There are several considerations, however, which caution against this interpretation of the data.

First, it is not at all clear that the results of the polls for the period 1943-1961 reflect stable, widespread support for federal aid. Information included in two other surveys, one in 1950 and the other in 1956, show that a surprising number of interviewees were unaware that federal aid to education was a controversial subject. When the panels were asked if they had heard or read about the debate in Congress over the issue, on both occasions 42 per cent replied that they had not.[2] This finding would suggest that a considerable number of those who favor federal aid do not realize its controversial nature and consequently are not likely to have been or become politically active concerning the issue.

Other evidence also indicates that the general support for federal aid shown in Table 9 is less extensive than is apparent. The proportion of affirmative answers fluctuates considerably when the same question is asked and even more so when the basic question is rephrased. For example, in May and December of 1948 similar cross sections of the population were asked the same aid question. On the first occasion 77 per cent responded affirmatively and seven months later only 61 per cent answered affirmatively, a difference of 16 per cent. Similarly, in a 1947 Gallup poll a national sample was asked the question: "Would you be willing to pay more taxes to the Federal government to raise educational levels in the poorer states of this country--or should the poorer states take this responsibility themselves?" Federal aid couched in this context was supported by only 35 per cent of the sample. In contrast, a 1959 panel was asked the question: "If cities and towns around the country need help to build schools, the government in Washington ought to give them the money they need. Do you agree or disagree?" Presented in this form, 77 per cent of those interviewed agreed that federal assistance should be extended. Then in 1964 a comprable national sample was asked: "Some people think the government in Washington should help towns and cities provide education for grade and high school children, others think this should be handled by the states and local communities. Have you been interested enough in this to favor one side over the other? (If yes) Which are you in favor of?"[3] On this occasion 16 per cent of the sample indicated no interest in the issue and only 40 per cent of those interested enough to have an opinion favored federal assistance.

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[2] See Frank J. Munger and Richard F. Fenno, Jr., National Politics and Federal Aid to Education (Syracuse: Syracuse University Press, 1962), p. 92.

Fundamental to all of these questions was the proposition that the Federal government should provide some contribution to local education. The fact that the same question asked at different times and rephrasing of the basic question have produced such diverse results implies that the underlying attitudes are quite shallow and certainly

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[3] The 1948 question was asked by the American Institute of Public Opinion and the 1964 question by the Survey Research Center.

not crystalized enough to produce strong political pressure for action. In this sense, it would be a mistake to place great reliance on the significance of the shifts in opinion since it is likely that the variations reflect the phrasing of the question rather than thoughtful revisions of attitudes on the part of the public. It is interesting to note, however, that on the one occasion when an attempt was made to separate the segments of the public interested enough in the issue to have an opinion only 40 per cent of those that were interested favored federal aid, which suggests that the results of other polls overestimate the proportion of the public which is both aware of the issue and in favor of assistance.

In addition to the instability of public attitudes expressed on the issue, there is further evidence to indicate why the apparent broad support for aid did not stimulate the enactment of a law before 1965. Those individuals who favored federal aid for education disagreed among themselves, as did interest groups and legislators, over the kind of aid program desirable. If the questions of aid to segregated schools and non-public schools and aid for buildings versus salaries are introduced into the discussion, it becomes clear that the public support for school aid has been utterly diffused. All three questions were included in a 1961 survey. Those respondents favoring aid were split over the terms of the program as is reported in Table 10 .

The fact that no alternative had as much as one out of five supporters illustrates the diffusion of public pressure for school aid and in no small way exemplifies why the national legislature did

TABLE 10

PROPORTION OF INDIVIDUALS FAVORING VARIOUS FEDERAL AID PROGRAMS, 1961

Program	Percent Favoring
All Public--Only Public--Buildings	18.3
All Public--Only Public--Salaries	13.9
All Public--Only Public--Both	12.5
All Public--Also Private--Buildings	12.6
All Public--Also Private--Salaries	8.4
All Public--Also Private--Both	8.6
Not Segregated--Only Public--Buildings	7.1
Not Segregated--Only Public--Salaries	4.8
Not Segregated--Only Public--Both	5.6
Not Segregated--Also Private--Buildings	3.0
Not Segregated--Also Private--Salaries	2.5
Not Segregated--Also Private--Both	2.7
N = 2772[4]	100.0%

not develop a positive consensus on the issue in the face of what seemed to be widespread public support.[5]

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[4] Frank Munger, "The Politics of Federal Aid to Education," unpublished paper presented at 1965 meeting of the American Political Science Association Annual Conference, Washington, D.C., September, 1965.

[5] It is worth suggesting that the case of public attitudes toward federal school aid appears to be a good example of the point made by V.O. Key, Jr., that the intensity of opinion rather than its direction is likely to be more crucial in attempting to establish any relationship between public attitudes and governmental action. Public Opinion and American Democracy (New York: Alfred A. Knopf, 1961).

Given these additional dimensions of the data presented in Table 11 it is evident that the passage of the 1965 Education Act was not the result of increased public backing for federal aid. In fact, if the 1964 and 1965 polls were at all reflective of public attitudes, less than half of the adult population approved of the action taken.

II. Public Attitudes on Parochial School Aid

If the passage of the 1965 bill cannot be linked to greater public endorsement, is it possible that a shift in attitudes on the key sub-issue --aid to parochial schools--occurred and contributed to the enactment of the law? Again national surveys provide us with a source of information; however, the results reported in Table 11 although helpful do not reveal some important reservations. On surface it appears that public attitudes displayed little variation on the question of aid to parochial schools for the period 1938 to 1961 during which about 55 per cent of those interviewed opposed such aid while approximately 35 per cent favored the idea. Additionally, it seems that this two-decade pattern shifted sometime between 1961 and 1963 so that by the latter date a small plurality favored aid to parochial schools, but the earlier distribution was recorded again in 1964.

In order to assess the meaning of these conflicting changes, it is necessary, first of all, to analyze in detail the shift which occurred between 1961 and 1963 since this alteration represents an important development in the school aid fight due to the fact that aid to non-public schools has been one of the major obstacles blocking

TABLE 11

NATIONAL PUBLIC OPINION SURVEYS CONCERNING FEDERAL AID TO PUBLIC AND PAROCHIAL SCHOOLS: 1938-1965

Year	Percent Opposed to Parochial Aid	Percent in Favor of Parochial Aid	No Opinion
1938	53%	35%	12%
1949	51	41	8
1961	57	36	7
1963	41	51	8
1964	51	40	9

Source: American Institute for Public Opinion, 1938; 1949; 1961; 1963; Survey Research Center, 1964.

earlier legislation.[6] During the postwar period Catholic organizations have insisted that any general federal aid to education program include equal assistance to parochial schools. Opposition to this demand has been basically centered among Protestants and Protestant organizations; therefore, an analysis of this change in terms of religious groupings is essential. If this shift in public attitudes merely reflects a greater proportion of Catholics favoring parochial school assistance, then the political dynamics of the situation has not changed significantly. However, if individuals with other religious affiliations have also changed their opinions on the question then a new set of circumstances does exist.

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[6] The second portion of the chapter discusses this topic at length.

It is worth noting at the outset that the fluctuation between 1961 and 1963 was probably not due to the phrasing of the inquiry. On both occasions the American Institute for Public Opinion asked a national sample the following question: "If the Federal Government in Washington decides to give money to aid education . . . should this money go only to public schools, or should money go to help Catholic and other private schools as well?"

The proportion of the respondents affiliated with the three major religions who favored federal aid to parochial schools is recorded in Table 12 . It shows that not only did the proportion of Catholics favoring non-public school aid increase between 1961 and 1963 from 70 to 76 per cent, but a larger proportion of Protestants (31 to 45 per cent) and an even greater proportion of Jews (2 to 26 per cent) also revised their attitudes.

TABLE 12

PROPORTION OF RESPONDENTS FAVORING FEDERAL AID TO PAROCHIAL SCHOOLS, BY RELIGION: 1961-1964

Year	Total % Favoring Private Aid	Percent Catholics Favoring Private Aid	Percent Protestants Favoring Private Aid	Percent Jews Favoring Private Aid
1961	36%	70%	31%	2%
1963	51	76	45	26
1964	40	62	34	27

Source: American Institute for Public Opinion, 1961; 1963; Survey Research Center, 1964.

III. Implications

Although the change in attitudes between 1961 and 1963 was greatest on a percentage basis among Jews, the total number of individuals changing opinions was greatest among Protestants. Given the nature of past conflicts over school aid and simple population statistics this fact, in political terms, becomes the most important aspect of the shift. It is likely that as Catholics and Protestants tend to converge in their attitudes on the issue of the possibility to enacting a bill increases. With the segregation issue essentially reconciled by the Civil Rights Act of 1964 and the construction versus salary question avoided by the terms of the 1965 bill, to what extent can this initial shift in public opinion on the religious issue be related to the passage of the 1965 act? Did congressmen previously opposed to parochial aid view this new development as a mandate to vote for a measure including private school aid?

In order to satisfy these inquiries it is necessary to consider several relevant factors. First, a closer examination of the magnitude of change among non-Catholics provides some revealing clues. The data in Table 12 indicate that of the Protestants and Jews opposed to non-public school aid in 1961 approximately one out of five had modified their opinion by 1963. This rather moderate change plus the consideration that even after the shift less than half of the Protestants and only one-fourth of the Jews favored the proposition would infer that this was less than a "revolutionary" innovation and unlikely to have much of a direct impact on congressional voting behavior. To arrive at an opposite conclusion would mean that one would have to assume that this alteration in constituency attitudes was, first, great enough to be brought to the attention of congressmen, and, secondly, significant enough in both size and intensity to convince those who were previously inclined to oppose a federal aid bill which included parochial school aid to favor such legislation. The existing evidence concerning the major influences on congressional voting behavior would argue against this interpretation. For example, in the rather ingenious study by Miller and Stokes, it was discovered that party policy, the representative's own policy preferences, and his perception of preferences held by his constituency were all more influential than the actual views of his constituency on issues other than civil rights.[7]

There is further evidence to suggest that the shift recorded between 1961 and 1963 was unlikely to be a factor in the passage of the legislation under consideration. The results of the poll conducted by the Survey Research Center in 1964 show, in contrast to the findings of the American Institute of Public Opinion, that a majority of the total sample was opposed to aid for parochial schools and that the proportion of Catholics (62%) and Protestants (34%) favoring non-public school aid was considerably smaller than what was reported in the 1963 AIPO poll.

Additionally, there is some reason to believe that the Survey Research Center poll is perhaps a more accurate measure of the relevant attitudes. It will be recalled that the AIPO phrased its question

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[7] "Constituency Influence in Congress," op. cit.

along the lines: "If the government decides to give aid should the money go to public schools only or private as well?" The shortcoming of phrasing the question in this manner is that it requires the respondent to accept the fact that an aid program has been established (whether he favored one or not) and then asks him if some of the money should be given to private schools. In this context, the proportion of the population which desired parochial aid in a positive sense is somewhat obscured because it is possible that some respondents who actually oppose all federal aid would be willing to see some aid distributed to private schools if, contrary to their basic opinion, a school aid bill is enacted. In other words, this phrasing of the question tends to group together those segments of the population which want a federal aid program that would include assistance to private schools and those who are opposed to all aid but think it should also be given to private schools if it must come. In contrast, the wording of the SRC question is more straight-forward. It reads: "Many grade schools and high schools around the country are run by various churches and religious groups of all faiths--Protestants, Catholics, Jews. Do you think the government should provide help to these schools or not?" With the question posed in this manner, it is likely that only those respondents who favored both the basic concept of federal aid and aid to private schools would give an affirmative answer. For this reason, the 1964 SRC poll is probably the most reflective of the state of public attitudes on the question of assistance to parochial schools. Just prior to the 1965 congressional consideration of the issue and it does not indicate strong public support for parochial school aid.

In summary, it is not likely that a change in public opinion on the question of aid to non-public schools is an important source of innovation related to the passage of the 1965 Education Act. If a shift in opinion did occur, as the AIPO data indicate, the shift was small in magnitude, a majority of Protestants and Jews were still opposed to federal assistance for parochial schools, and there is little evidence to indicate that congressmen who would ordinarily vote against a program including parochial school aid would feel compelled to vote for it as a result of new constituency pressure.

It would be misleading, however, to completely neglect the possibility that the shift in public opinion recorded by the AIPO polls may have had an indirect effect on the passage of the legislation. In the following section of this chapter an examination is made of interest group alignments on the issue of general federal aid and parochial school aid prior to and during 1965. That discussion shows that one of the salient developments in 1965 was the modification in position of the major Protestant organizations on the religious issue and the consequent implications of this change for the proponent victory. It is conceivable that the growing proportion of Protestants willing to accept the notion of private schools aid (according to the AIPO findings) meant that the leadership of the major Protestant organizations may have been given a freer hand to make a looser interpretation of the relationship between their previous stance on the issue and their position in 1965. Consequently, the interest groups, given their greater visibility and more direct contact within Congress,[8] may have performed the function of transmitting any shift in attitudes at the grass roots to representatives through their policy statements before the congressional committee hearings on the education bill (H.R. 2362 and S. 370).

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[8] See, for example, Charles L. Clapp, The Congressman: His Work as He Sees It (New York: Doubleday and Company, 1963), Chapter 4.

IV. The Group Approach to Politics

The attempt to locate the genesis of political change among demand articulators has led to an investigation of innovation as it relates to changing constituent views as reflected in public opinion surveys. Another and certainly not contradictory way to probe the origin of political innovation involves the group theory approach to the policy-making process.

This notion of politics was lucidly developed by Arthur Bentley in his book, The Process of Government, which first appeared in 1908, and has been recently restated and revitalized by David Truman. Truman suggests that in general an interest group is characterized by "a shared attitude" that makes certain claims upon other groups in the society. A political interest group is one "that makes claims through or upon the institutions of government."[9] From this perspective most political outputs are basically a function of conflicts among organized interest groups which have resorted to applying political demands upon the governmental system to achieve their objectives. Earl Latham summarizes the basic postulates of the conception by writing:

> The legislature referees the group struggle, ratifies the victories of the successful coalitions, and records the terms of the surrenders, compromises, and conquests in the form of statutes . . . . The legislative vote on any issue thus tends to represent the composition of strength, i.e., the balance of power among the contending groups at the moment of voting. What may be called public policy is actually the equilibrium reached in the group struggle at any given moment, and it represents a balance which the

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[9] David B. Truman, The Governmental Process (New York: Alfred Knopf, Inc., 1951), p. 37.

> contending factions of groups constantly strive to weight in their favor.[10]

In a recent paper Frank Munger has proposed that within the interest group framework major political change may be brought about in two principal ways. First, a major external influence may unsettle the existing equilibrium of groups, thus forcing a new response by both the groups and governmental decision-makers. Secondly, the balance of groups which produced and supports existing public policy may be altered by: a) an increase or decrease of the political influence and access of some or all of the groups; b) a redefinition of group doctrines by the group leaders and members which in turn generates new combinations and coalitions; or c) the activation of new participants in the political process with a consequent alteration in public policy outcomes.[11]

The available evidence indicates that from among these possible means of group stimulated change, the emergence of a new interest group coalition supplies the most reasonable interpretation of the group influence on the enactment of the Education Act of 1965. In the year of success the proponents of federal aid were able to fashion a powerful alliance which a weakened opposition was unable to seriously challenge. To demonstrate the dimensions and impact of this development it is necessary to discuss the former group alignments on the issue of federal aid, the nature of the new alliance in 1965, the basis of the new coalition, and the extent to which the proponent victory can be explained in political interest group terms.

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[10] Earl Latham, "The Group Basis of Politics: Notes for a Theory," The American Political Science Review, Vol. XLVI (June, 1952), p. 390. It is worth noting that some political scientists have cautioned against an overstressing of the importance of interest groups at the expense of individuals and the legislature. See, for example, Peter H. Odegard, "The Group Basis of Politics: A New Name for an Ancient Myth," The Western Political Quarterly, Vol. XI (September, 1958), pp. 689-702.

[11] Frank J. Munger, "The Politics of Federal Aid to Education," unpublished paper presented at the 1965 Annual Meeting of the American Political Science Association, Washington, D.C., September, 1965.

V. Former Group Alignments

One of the historical characteristics of the movement for federal support of education is the variety of interest group coalitions for and against the various proposals which have been presented to the national legislature. Throughout the twentieth century several groups have altered their position on the basic question of federal involvement in education, while others have alternated between supporting or opposing federal aid proposals depending upon the details of specific bills. Among the major groups which are included in the former category are the Daughters of the American Revolution, the National Catholic Welfare Conference, the American Legion, and the American Farm Bureau.

The Daughters of the American Revolution voted in 1921 and 1922 to endorse both a U.S. Department of Education and the distribution of federal aid to states for educational purposes. However, late in the 1920's the D.A.R. began to shift its position on federal aid and other issues as its ideological interests gravitated toward fighting the "communist menace" in America. By the post-World War II period, the D.A.R. was strongly opposed to the expansion of the Federal government and a staunch opponent of federal aid to education.[12]

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[12] Martha Strayer, The D.A.R.: An Informal History (Washington, D.C.: Public Affairs Press, 1958). Also see Munger and Fenno, *op. cit.*, pp. 29-31.

What may be referred to as the Catholic viewpoint on federal aid to education is not always easy to identify because it has shifted over time and has varied from individual to individual and from one Catholic organization to another. However, the organization which represents Catholic bishops, the National Catholic Welfare Conference, and its policies have generally been considered to be the most important index to the Catholic position on the issue of federal aid. From 1919 to 1944 the N.C.W.C. officially opposed federal aid to education basically on the grounds that the acceptance of federal funds would eventually necessitate the acceptance of federal control over Catholic schools. Presumably, the increased fiscal strain experienced by Catholics in their efforts to maintain a Catholic education system overshadowed the fear of federal control because during the postwar period the N.C.W.C. has altered its view on the issue. Monsignor Frederick G. Hockwalt, speaking for the N.C.W.C., indicated the revised position in the 1945 congressional hearings when he indirectly endorsed the principle of federal aid by declaring that no federal aid program would be acceptable to Catholics which excluded some form of assistance for private schools.[13] The N.C.W.C. has been joined in this position by the National Council of Catholic Men, the National Council of Catholic Women, and the Citizens for Educational Freedom, the latter a nonsectarian organization although Catholics constitute a majority of the membership.

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[13] Senate Committee on Education and Labor, Federal Aid for Education, 79th Congress, 1st Session (1945), pp. 302-304. An analysis of the development of this position may be found in Seymour Paul Lochman, The Church-State Issue as Reflected In Federal Aid to Education Bills, 1937-1950 (unpublished doctoral dissertation, New York University, 1963).

Both the American Legion and the American Farm Bureau supported federal aid for education through the 1930's and 1940's. Since the early 1950's, however, both organizations have shifted their views on federal aid to strike a more harmonious alignment with their legislative ally, the U.S. Chamber of Commerce. By 1958 the delegates to the National Convention of the American Legion had unanimously voted to direct their officials

> . . . to present the position of the American Legion to the Congress of the United States and to vigorously oppose any and all legislation before the Congress that seeks to impair, erode or destroy independent and complete state control over public education or which makes appropriations, loans, grants-in-aid, gifts or use of Federal funds or financing either direct or indirect for general public education or school construction . . . .[14]

At that time the Farm Bureau had arrived at a similar position which was expressed by the Bureau's Assistant Legislative Director, John Datt, before the House Committee. He stated:

> The Farm Bureau has opposed any temporary program and is vigorously opposed to any permanent program of Federal aid for school construction . . . . In our opinion the instigation of Federal aid to education in the form of assistance for school facilities may actually be a great disservice to our public school system.[15]

In sum, over the years the advocates of federal aid have witnessed the disassocation from their ranks of three major groups and have been joined by the Catholic organizations which favor school aid on conditional grounds.

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[14] Senate Committee on Labor and Public Welfare, Grants for School Construction and Teachers' Salaries, 85th Congress, 2nd Session. (1958), p. 102.

[15] House Committee on Education and Labor, Federal Grants to States for Education, 85th Congress, 2nd Session (1958), p. 432.

The presentation of clear-cut group alignments on the issue of aid is complicated further by the fact that the specific features of any bill, particularly as they relate to aid for segregated and non-public schools, has resulted in various groupings. For example, the National Association for the Advancement of the Colored People has supported general school aid, but has opposed any bill which fails to stipulate that funds are barred to segregated schools. Similarly, a host of religious organizations have supported federal aid, but have been opposed to the distribution of funds to private and parochial schools. This category includes the American Jewish Congress, the Baptist Joint Committee on Public Affairs, the National Association of Evangelicals, the National Lutheran Church, the Protestants and Other Americans United for Separation of Church and State, and the Unitarian Fellowship for Social Justice. In addition, the largest educators' organization, the National Education Association, has also resisted aid to non-public schools as have a number of other non-religious groups. The Catholic groups identified above have opposed these groups and have argued against any bill which does not include assistance for private schools.

The fact that these variations exist does not mean that it is impossible to identify the combination of groups that have been for or against federal aid, but it does indicate that caution must be used in assessing the stability of the factions. This taken into consideration, the summary listing below indicates the major interest groups which have generally taken a consistent stance on the issue during most of the post-World War II period.

The major organizations which have supported federal aid for education are:

- National Education Association*
- AFL-CIO and its affiliates
- American Federation of Teachers*
- Council of Chief State School Officers*
- National Congress of Parent-Teachers
- American Association of University Professors
- American Association of University Women
- Americans for Democratic Action
- National Farmers' Union
- American Parents Committee
- American Veterans Committee
- National Association for the Advancement of the Colored People (only to nonsegregated schools)

*Although supporters of federal aid these groups have indicated opposition to aid for non-public schools.

Those which have been opposed include:

- U.S. Chamber of Commerce
- Council of State Chambers of Commerce
- National Association of Manufacturers
- Southern State Industrial Council
- National School Boards Association (opposed since 1961)
- Investment Bankers Association of America
- American Farm Bureau
- American Legion
- Daughters of the American Revolution

The following religious organizations have supported general federal aid, but without funds for non-public schools:

- American Jewish Congress
- Baptist Joint Committee on Public Affairs
- National Council of Churches
- National Association of Evangelicals
- National Lutheran Church
- Protestants and Other Americans United for Separation of Church and State
- Unitarian Fellowship for Social Justice

The following groups have supported school aid only if non-public schools are also assisted:

- National Catholic Welfare Conference
- National Council of Catholic Men
- National Council of Catholic Women
- Citizens for Educational Freedom

Those organizations which have actively pushed for federal aid have placed their demands in the context discussed in Chapter II. They have stressed such factors as the enrollment explosion, the classroom and teacher shortage, the fiscal strain on state and local governments, the superior tax base of the Federal government, and the national stakes in a sound education system.

The groups which are opposed to federal school aid have taken exception to this reasoning and have argued that the so-called "education crisis" has been vastly overstated. They point to the fact that while school enrollment between 1950-51 and 1960-61 increased by 44.4 per cent the number of teachers increased by 51.9 per cent, that classroom teacher salaries increased 70 per cent during the same time period, and that between 1950-60 new classrooms were built at the annual rate of 67,360, or 7,360 over the needs projected by educational authorities.[16]

Secondly, they have maintained that public education is not a federal responsibility. The sphere of federal services and functions should be limited to those matters which can be handled only by the Federal government.[17]

Thirdly, federal aid would eventually lead to federal control of education.

> Federal subsidies mean Federal decisions about school problems which should be left to States or their communities to make . . . . While the present Congress may deny most sincerely any intention of Federal 'takeover' in education, subsequent Congresses will find that both more Federal money and more Federal direction are necessary.[18]

And finally, the foes of aid have asserted that in contrast to the fiscal capacity of state-local governments,

> the Federal Government is in a precarious financial situation, as evidenced by the balance of payments problem, the impending budget deficit which threatens further the domestic and international integrity of the dollar, the enormous public debt, and the crushing Federal tax rates. These factors point to the conclusion that the Federal Government should be retrenching, rather than extending, its financial commitments.[19]

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[16] These statistics were used by the National Association of Manufacturers before the Senate Committee in 1961. See U.S. Senate Committee on Education and Labor, Public School Assistance Act of 1961, 87th Congress, 1st Session (1961), pp. 375-376.

[17] Ibid.

[18] Included in testimony of U.S. Chamber of Commerce. See House Committee on Education and Labor, Federal Aid to Schools, 87th Congress, 1st Session (1961), pp. 282 and 285.

[19] From 1961 testimony of National Association of Manufacturers, op. cit., p. 374.

It is clear that neither set of arguments is more "correct" than the other, but that they are different perspectives on the same question. If other decision-making influences are held constant, it would appear from past results that the opponents of school aid have presented the more persuasive case to the national legislature. In this sense, the proponent decision to shift the area of discussion to aid for the disadvantaged was well-advised since it introduced an additional perspective on "educational problems" and federal aid which the opposition was less prepared (or willing) to dispute.

This shift in rationale, however, was not enough in itself to alter significantly the previous group alignments on the issue of aid to non-public schools. An additional modification of past proposals was necessary if the church-state issue was to be overcome in 1965.

In prior years, the groups on both sides of the religious question developed involved arguments to support their respective positions. Those organizations which argued for some form of assistance to non-public schools reasoned that private and parochial schools perform the public functions of educating about 7,000,000 students (in 1961) and fulfilling the State requirements of compulsory education. Therefore, they deserve an equal or equivalent share of any aid the Federal government might provide for public schools.[20]

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[20] The arguments for aid to non-public schools are derived from the testimony of the groups identified in the above list. See particularly the 1961 congressional hearings referred to previously. Also see Neil G. McCluskey (S.J.), Catholic Viewpoint on Education (Garden City: Hanover House, 1959).

In addition, those groups supporting aid to private schools point to the fact that the "education crisis" involving classroom and teacher shortages which exists in public schools is also prevalent in non-public schools. All the parents who desire to send their children to parochial schools are not able to do so because the schools cannot accommodate them.

Since both school systems perform necessary functions and are confronted with similar problems, to aid one at the exclusion of the other is to engage in discrimination. To make federal aid available to only public schools would hinder considerably the ability of the private schools to maintain comparable standards and eventually would result in the termination of the private school system. Such an occurrence would be an injustice to both parents and private school students since it would limit their freedom of choice concerning education which is constitutionally guaranteed.[21]

Another form of injustice would be performed by excluding private schools from a federal aid program. It would put an additional and undue economic strain on those parents who are taxed to support the public schools, which by reason of conscience, their children do not attend, and who have willingly taxed themselves again to support a non-public school system. According to a spokesman representing the Citizens for Educational Freedom:

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[21] The reference here is to the case of Pierce v. Society of Sisters, 1925, in which the Supreme Court ruled that the government may not reserve educational functions to public schools and forbid education by private institutions meeting the standards prescribed by law for public schools. See U.S. Senate, Constitutionality of Federal Aid to Education in Its Various Aspects, 87th Congress, 1st Session (1961), Document No. 29.

> Aid to public school children only would place a further double burden on private school parents, and force them to sacrifice more and more just to keep up with a public system buttressed by Federal funds. Congress must consider that there is a breaking point for the private school parents.[22]

Finally, those associations which favor assistance to non-public school students argue that it does not violate the principle of separation of church and state. They stress the fact that the Supreme Court has not explicitly ruled against the practice of the Federal government aiding individual private school children and cite the GI Bill of Rights and the National Defense Education Act of 1958 as precedents for providing aid to individual students who may attend the school of their choice, public or otherwise.

These arguments have been vigorously challenged by the groups which have protested against the provision of federal funds to private and parochial schools. The basic proposition underpinning their position is that such aid would definitely violate the separation of church-state principle as set forth in the opening words of the First Amendment to the Constitution which states: "Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof." They maintain that federal support for non-public schools would be inconsistent with the no "establishment" clause and thus unconstitutional. To buttress this view they refer to three court cases: Everson v. Board of Education in 1947, McCollum v. Board of Education in 1948, and Zorach v. Clauson in 1952, all of which ruled that the government may not finance religious schools or religious education. Writing for the majority in the Everson case, Justice Black stated a view which is often cited in this context: "No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to back or practice religion."[23]

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[22] Public School Assistance Act of 1961, p. 1254.

The opponents of aid to non-public schools argue further that the lack of federal assistance does not infringe upon religious or educational liberty nor does it constitute discrimination against private school parents and children. They maintain that

> it is one thing to say that religious liberty forbids the Government from closing down church schools, as the Oregon Legislature sought to do in the Pierce case; it is something entirely different to say that religious liberty also requires the Government to finance the schools.[24]

Concerning the Catholic accusation of discrimination, the counter charge is made that it would be discrimination indeed to tax all citizens to support schools which are not open to all students.

Additional grounds are also used to oppose the claims of private and parochial schools for federal funds. The National Council of Churches, for example, has affirmed that any substantial aid to non-public schools carries with it at least three dangers:

1. Those seeking to avoid desegregated public schools might attempt to establish segregated private schools with public funds.

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[23] Quoted in Constitutionality of Federal Aid to Education in Its Various Aspects, p. 12.

[24] Statement by a representative of the American Jewish Congress in Federal Aid to Schools, p. 970.

2. Such aid would be used as a precedent for more direct and more substantial forms of aid to parochial schools, thus diverting rather than increasing the already inadequate resources available for public schools.

3. This type of aid would, therefore, tend to encourage the development and expansion of several competing systems of sectarian schools . . . whose practical results would be the shattering of the American public school system.[25]

VI. Religion and the 1961 Confrontation

Prior to 1965 the advocates of these conflicting views on aid to non-public schools clashed "head-on" during the 1961 effort to enact the Kennedy Administration education bills.[26] As a presidential candidate John F. Kennedy had endorsed federal aid for education, both for school construction and teacher salaries, on many occasions. However, he also stressed that he favored aid for public schools only and was opposed to providing funds to parochial schools. As the second Catholic candidate for the Presidency in American history, Kennedy recognized the political necessity of explicitly expressing his views on the proper relationship between church and state. He was presented with an important opportunity to respond to critics when he was invited to appear before the Ministerial Association of Houston, Texas, to discuss the religious issue on September 12, 1960. On that occasion he stated:

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[25] Ibid., p. 395.

[26] For an excellent case study of this topic see Hugh Douglas Price, "Race, Religion and the Rules Committee: The Kennedy Aid-to-Education Bills," in Alan F. Westin, ed., The Uses of Power (New York: Harcourt, Brace, and World, Inc., 1961), pp. 1-71. Also see the Congressional Quarterly Almanac (Washington, D.C.: 1961), pp. 210-234.

> I believe in an America where the separation of church and state is absolute--where no Catholic prelate would tell the President (should he be Catholic) how to act, and no Protestant minister would tell his parishioners for whom to vote--where no church or church school is granted any public funds or political preferences.[27]

His statements certainly did not satisfy all the reservations of all Protestants, but they did provide Catholics with additional evidence that John Kennedy as President would be obligated to maintain the status quo on church-state relations.

Following the election, President-elect Kennedy established several advisory task forces to study certain substantive areas, including education. The Education Task Force Report was made public on January 6, 1961. Included among the recommendations was a proposal to initiate a program of general federal support for elementary and secondary public schools which would entail general aid of $30 per year for each pupil in average daily attendance, an additional $20 per child for states with personal income per student below 70 per cent of the national average, and also an added $20 per pupil in the public schools of cities with a population over 300,000. In total the program would amount to about $1.5 billion, none of which would be available to non-public school students.

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[27] New York Times, September 13, 1960, p. 22.

Needless to say the task force recommendations were not viewed with enthusiasm by Catholic leaders. The proposed elementary and secondary program was strongly attacked by Cardinal Francis Spellman of New York City who declared in part:

> I believe and I state that these recommendations are unfair to most parents of the nation's 6,800,000 parochial and private school children. Such legislation would discriminate against a multitude of America's children because their parents choose to exercise their constitutional right to educate them in accordance with their religious beliefs.
>
> I cannot believe that Congress would enact a program of financial assistance and secondary education unless all children were granted equal educational privileges, regardless of the school they attend.
>
> By denying this measure of equality to church-related school children and their parents, the task force proposals are blatantly discriminating against them, depriving them of freedom of mind and freedom of religion.[28]

The Cardinal's statement may have signalled rough going for President Kennedy's education legislation, but it did not alter the latter's announced position on the issue of aid to non-public schools. This became evident on February 20th when the President presented his special message on education to Congress. In it he recommended a three-year program of general federal assistance for public elementary and secondary classroom construction and teachers' salaries which amounted to about half that proposed by the task force report. On the crucial question of parochial schools, he stated:

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[28] New York Times, January 18, 1961, p. 1. This was not the first time that Cardinal Spellman became involved in a controversy over school aid. During the 1949 congressional consideration of the Barden Bill, which excluded any aid for private schools, Cardinal Spellman and Mrs. Eleanor Roosevelt became involved in a well publicized conflict over the issue. A discuss of this dispute may be found in Seymour Lochman, op. cit.

> In accordance with the clear prohibition of the Constitution, no elementary or secondary school funds are allocated for constructing church schools or paying church school teachers' salaries, and thus non-public school children are rightfully not counted in determining the funds each State will receive for its public schools.[29]

Reaction to the President's message was predictable; a spokesman for Protestants and Other Americans United for Separation of Church and State approved the President's stance: "We congratulate the President for declaring that direct Federal aid to church schools at the elementary and secondary levels is unconstitutional." Catholic leaders, of course, viewed the situation much differently. On March 1st, Archbishop Karl J. Atter, Chairman of the Administrative Board of the National Catholic Welfare Conference, indicated the position of the Catholic hierarchy in the following manner:

> 1. The question of whether or not there ought to be Federal aid is a judgement to be based on objective economic facts connected with the schools of the country and consequently Catholics are free to take a position in accordance with the facts.
> 2. In the event that there is Federal aid to education we are deeply convinced that in justice Catholic school children should be given the right to participate.
> 3. Respecting the form of participation, we hold it to be strictly within the framework of the Constitution that long-term, low-interest loans to private institutions could be part of the Federal aid program. It is proposed, therefore, than an effort be made to have an amendment to this effect attached to the bill.
> 4. In the event that a Federal aid program is enacted which excludes children in private schools, these children will be victims of discriminatory legislation. There will be no alternative but to oppose such discrimination.[30]

The concluding sentence implied rather clearly that if Congress refused to authorize the suggested loans to parochial schools, the bishops would seek to defeat the entire federal aid program. The adoption of such a posture, to put it mildly, discourages consensus building, a quality which the movement for federal aid to education has clearly lacked. The religious controversy surrounding the 1961 legislation is a good example of why this has been so.

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[29] New York Times, February 21, 1961, p. 1.

[30] New York Times, March 3, 1961, p. 18.

It is evident from the above that the lines of conflict concerning school aid in 1961 were drawn well before the respective House and Senate committees began deliberations on the proposed legislation. In fact, the hearings did little to alter the situation. On the third day of the Senate hearings, March 11th, the case against parochial school aid, in the form of low-interest loans or any other manner, was forcefully delivered by spokesmen representing the Baptist Joint Committee on Public Affairs, the American Jewish Congress, and Protestants and Other Americans United for Separation of Church and State. C. Stanley Lowell, associate director of the latter organization, presented the most vigorous opposition by reading from an editorial published by the Christian Century, a leading Protestant publication.

> Cardinal Spellman has not changed his mind. His aim is still to compel Protestants, Jews, and others to support a wholly controlled function of the Roman Catholic Church. The compulsion lies in the use of taxing powers of the Federal government to raise funds for Catholic schools. He has given us fair warning, so he should have our answer. American Protestants will never pay taxes to support Catholic schools. We will oppose enactment of laws which require such payments. If Congress is pressured into enacting such laws, we will contest them in the courts. If the courts reverse themselves and declare such laws constitutional, we will still refuse to pay these taxes, paying whatever price is necessary to preserve religious liberty in a pluralistic society.[31]

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[31] Public School Assistance Act of 1961, p. 489. It is interesting to compare the tone of this statement with statements made in the same periodical during 1965. For somewhat milder statements see the issues of the Christian Century for February 17, 1965; February 24, 1965; and March 24, 1965.

Two days later Cardinal Spellman, in response to inquiries concerning "whether [he] desired to modify or clarify [his] views in light of recent developments," issued an additional statement from his New York Office. The Cardinal made it plain that he was "still opposed to any program of Federal aid that would penalize a multitude of America's children" because their parents choose to enroll them in parochial schools. He commended President Kennedy for his interest in education and equitable proposals in the field of higher education, but he maintained "the administration's proposal in the field of elementary and secondary schools is not fair and equitable." The Cardinal concluded that:

> Since equitable alternatives are available, the enactment of a program of Federal aid for the children of our Nation that would exclude those attending private and church-related schools would be a great injustice.[32]

The testimony by the representative of the N.C.W.C., Monsignor Hockwalt, was similar in tone. After reviewing the extent of the parochial school system in the nation and its complementary role and similar problems related to the public school system, the Monsignor presented the well-known case for aid to non-public schools. He posed the question, "What can be done for the private schools and in particular the parochial school?" He provided the following answer:

> We have the courageous example of Government aid to our colleges without discrimination. My petition today points up the need to grant similar assistance to the elementary and secondary schools by way of long-term, low-interest rate loans, with the interest rate computed on an annual basis. To grant Federal assistance to only part of the American educational effort is to deny to the other parts

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[32] New York Times, March 14, 1961, p. 21.

> the chance to grow. In fact, it hinders parents in that free choice of education which is essentially theirs.[33]

Senator Morse, Chairman of the Senate Committee, commended the Monsignor on his statement and then made a suggestion which added the possibility, although not great, of working out a compromise on the whole issue. He suggested the creation of a task force composed of Senators and Representatives of both parties which would attempt to determine the best procedural course to pursue in regard to handling the issue of aid to parochial schools. "They can at least give us the recommendation as to whether or not separate legislation should be submitted in handling this matter."

In response, Monsignor Hockwalt pointed out the obvious reservation from the Catholic perspective. He stated:

> I have a feeling that one measure would pass in this Congress, the Federal aid as such. I have a feeling that a second measure, which would provide for our schools, wouldn't have much of a chance. So I am being very frank with you. Therefore, it seems to us that our welfare should be considered in tandem with the administration bill in some fashion so that that can be done.[34]

This strategy of detaching the parochial school issue from the basic education bill became the key theme of subsequent developments.

Much of the testimony before the House Committee was a repeat of what had transpired in the Senate and did little to modify the entrenched stance of the major contenders, thus underscoring the need for fresh ideas if the Kennedy bill was to be given a reasonable chance for passage. It was obvious that the Administration's initial attempt to dismiss the whole question on grounds of constitutionality was ineffective and that some kind of alternate approach was needed.

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[33] Public School Assistance Act of 1961, p. 935.

[34] Ibid., p. 937.

Two stabs at resolving the situation were made in the following weeks. In the Senate, Senators Joseph S. Clark (D., Pa.) and Morse introduced a "Private School Construction Loan Act" which would authorize forty year loans, at a low interest rate, for non-public schools to construct classroom facilities. In the House, Representative Herbert Zelenko (D., N.Y.) introduced a bill which contained the Administration's public school program in addition to a proposal for grants to non-public schools for science, mathematics, and modern foreign languages classrooms. (Under Title III of the National Defense Education Act of 1958 the government was authorized to lend funds to private schools for the purchase of equipment in these three fields.)

Although reasonable attempts, neither bill approached the heart of the dilemma and both were consequently shelved. Parochial school proponents were still reluctant to endorse a separate bill and the Administration was still against including public school aid and parochial school assistance in the same bill.

The Zelenko proposal was not acceptable due to the above, but it did suggest a possible path to compromise. Since many of the programs under the N.D.E.A. were due for extension in June, 1962, why not tie the parochial school classroom loans in with the extension of N.D.E.A.? This would provide parochial school supporters a better chance of achieving their goals than they would have in a separate new bill and it would not threaten the fortune of the Kennedy legislation.

Apparently, this kind of thinking became attractive within influential circles because on April 25 President Kennedy sent a message to Congress which formally requested the extension and expansion of the N.D.E.A. Although the President did not explicitly mention adding loans for non-public schools to construct special classrooms, he did say that it would be appropriate for Congress to consider adding other proposals to his draft legislation.[35] In other words, if Congress wanted to amend the N.D.E.A. to include loans for parochial school classrooms it appeared that the Administration would not object.

By late April, then, the prospects of school aid legislation began to brighten. During the early weeks of May the respective congressional committees reported the public school bill and on May 16, the Senate began debates. The bill passed the Senate on May 25, 1961, as had others during the postwar period. The real challenge would be presented in the House which had passed only one general school aid bill since 1870.[36]

There is no doubt that the House presents a more hazardous journey for legislation than the Senate. Superimposed over such factors as the relative homogeneity of the constituency of many House members and the short term of office, both of which tend to restrict the capacity for compromise, are the structural characteristics of the House which make it necessary for legislation to pass through two additional obstructions before enactment. In the Senate a successful bill moves through four stages. The advocates of legislation must secure: first, committee hearings on the bill; second, committee sessions to discuss the bill; third, a positive report by the committee; and finally, a favorable vote on the floor. However, in the House, once a bill has been granted committee approval it must also obtain a "rule" from the Committee on Rules which permits consideration of the bill on the House floor and establishes the conditions of debate. If a rule is granted, the bill is also subjected to debate and amendments by the "Committee of the Whole." In terms of membership the Committee of the Whole is identical with the House, but in operating procedures there are important differences--the most crucial being that votes are not officially recorded on changes proposed for the pending legislation. Consequently, before a measure is considered on the floor of the House it may be altered considerably by action of the Committee of the Whole.

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[35] New York Times, April 27, 1961, p. 1. For a discussion of this strategy see Theodore Sorensen, Kennedy (New York: Harper & Row, 1965), pp. 359-362.

[36] The House passed a bill in 1960 which differed from the Senate version. The House Rules Committee failed to allow a conference and the bill died. This event is discussed in Chapter V.

After the public school bill was favorably reported by the House Committee on Education and Labor, the next step confronting its supporters was to get the Chairman of the Rules Committee, Howard Smith (D., Va.), to schedule hearings on granting a rule. Then they would be faced with convincing at least eight of the fifteen members of the Rules Committee to vote for a rule on the bill.

While maneuvering for a rule was being conducted, the Education and Labor subcommittees met jointly on June 1 to begin hearings on amendments to the N.D.E.A., including loans for special classrooms for non-public schools. It soon became evident, however, that the

Administration was not particularly anxious to support aid to parochial schools, even in this form.[37] The Commissioner of Education, Dr. Sterling McMurrin, did not take an official stand on the proposals and Secretary of Health, Education, and Welfare Ribicoff and the President were evasive on the issue. In addition, it became clear that the chances of the N.D.E.A. amendments (if approved by the joint committee, and they eventually were) being given a rule were not good. It could be reasonably assumed that Chairman Smith and William Colmer (D., Miss.) would join the five Republican members of the Rules Committee to oppose granting a rule. This meant that all of the eight remaining members (all Democrats) would have to support the legislation. However, three were Southern Methodists who were reportedly under pressure to oppose parochial school aid.[38]

To complicate matters further, at least for the proponents of public school aid, committee members James Delaney (D., N.Y.) and Thomas O'Neill (D., Mass.), both Catholics, announced that they would not support a rule for the Administration's school bill until the N.D.E.A. parochial school provisions were also ready for the floor. This threat became a reality on June 20 when Delaney and O'Neill joined Smith and Colmer plus the five Republicans to support a motion that no hearings for a rule on the public school bill be held until the parochial school bill was also before the Rules Committee.[39]

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[37] This reluctance was not unrelated to Kennedy's thoughts of re-election in 1964. See Price, op. cit., pp. 61-64, and Sorensen, op. cit., pp. 361-365.

[38] The three members were Carl Elliott, (D., Ala.), Homer Thornberry (D., Tex.), and James W. Trimble (D., Ark.). See Congressional Quarterly Almanac (Washington, D.C.: 1961), p. 214.

[39] Congressional Quarterly Weekly Report, June 23, 1961, p. 1032.

A week later the N.D.E.A. measure was reported from committee by a vote of nineteen to eleven. Its future prospects, however, did not appear promising. The minority views included in the report attacked the bill as a transparent effort to provide federal aid for non-public schools instead of a measure to improve the quality of N.D.E.A.

Matters culminated on July 18. On that day the public school and N.D.E.A. bills were awaiting rules, as was the President's aid to higher education bill. A few days earlier Congressman Delaney expressed the view that all three bills should be killed and a new "nondiscriminatory" measure be drafted to permit federal grants to parents of children attending public or non-public schools. Therefore, it came as no great surprise when Delaney voted with Smith, Colmer, and the five Republicans of the Rules Committee to table all three education bills. The motion to reconsider the decision was voted down by the same eight to seven alignment thus killing education legislation for 1961.[40]

The intensity of conflict surrounding the 1961 school aid bills certainly did not appear at the time to improve the feasibility of enacting future aid to education legislation. The battle itself and the outcome seemed to only solidify the conflicting views of the major religious and non-religious groups involved. The 1961 action pointed out the absolute necessity of resolving the church-state question if the proponents of federal aid for education were to realize their objective. For the supporters of school aid in 1965,[41] the devising of an acceptable formula to deal with this issue would be a prerequisite for any earnest attempt to pass legislation.

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[40] Congressional Quarterly Weekly Report, July 21, 1961, p. 1270. It was possible, of course, to bring the legislation to the floor via one of the three procedures available for circumventing the Rules Committee: the use of a discharge petition, a "suspension of the rules," or the use of "calendar Wednesday." In fact, the Administration did take a last fling and presented a limited school construction bill via "calendar Wednesday." A roll call vote on whether to consider the bill was 242 opposed and only 170 in favor.

VII. The New Coalition

The first indications concerning the kind of approach the Johnson Administration was planning to employ in terms of the church-state issue began to filter to the general public a few days before the President's State of the Union Message, which was to be delivered on January 4, 1965.

A report in the New York Times on January 2 stated that Administration sources revealed that the President had some time in the past sounded out a number of Representatives and Senators on the religious question. He found the consensus was that a bill to provide general aid for teachers' salaries and school construction limited to public schools would once again be stalled by those also advocating aid to parochial and private schools. In response to this finding (and no doubt the memory of the 1961 action), the Administration had reportedly developed an educational proposal that would include assistance to private school students by utilizing the "shared-time" concept, the provision of grants for the purchase of instructional material, and the establishment of community supplementary educational centers open to all students.[42]

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[41] The school aid effort of 1961 had created such a high degree of conflict that the proponents of aid did not make another serious effort to push general aid legislation again until 1965.

[42] New York Times, January 2, 1965, p. 1.

Although the President alluded publicly to his position on the church-state question in his State of the Union Message by stating "we will aid public schools serving low-income families and assist students in both public and private schools," it was not until he delivered his education message to Congress on January 12 that the means for aiding private school students were explicitly and officially outlined. From the message and the subsequent legislative draft of the Elementary and Secondary Education bill that was presented for congressional consideration, it became apparent that three of the titles included provisions for assisting both public and non-public school students.

Under Title I, Financial Assistance to Educational Agencies for the Education of Children of Low-Income Families, grants would be allocated to school districts where 3 per cent of the elementary and secondary students, or a minimum of 100 children, were from families with annual incomes under $2,000. As indicated earlier, funds made available under this provision were to be utilized to develop programs to meet the special needs of educationally deprived children. In the process of establishing and executing programs the local educational agency would be required to take into consideration the number of educationally deprived students attending private schools in the area and make provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which such children could participate. The emphasis here was on introducing or increasing, depending on the history of the particular school district, "shared-time" educational experiences in which both public and private school children would be involved.

Title II, School Library Resources, Textbooks, and Other Instructional Materials, would authorize a five-year program to make available for the use of school children library resources and other instructional material, including textbooks, to improve educational quality in the schools. Although the materials purchased with federal funds could not be used for sectarian instruction or religious worship, they would be provided "for the use of children and teachers in public and private elementary and secondary schools." The materials to be made available under this provision for use by private school students would be required to be the same as those used or approved for use in the public schools of the state. In the event that no state agency was legally authorized to distribute the provided materials to non-public schools, the Federal Commissioner of Education would arrange for direct provision of the material and pay the cost out of that state's allotment.

Private and parochial school students would also benefit from the provisions of Title III, Supplementary Educational Centers and Services. This title would establish a five-year program to provide

> vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

Under this title a variety of services could be provided, such as: counseling, remedial instruction, and school health, physical education, recreation, psychological and social work services designed to aid individuals enter, remain in, or re-enter educational programs; academic services and counseling for continuing adult education; specialized instruction and equipment for students interested in studying academic subjects which are not taught in the local schools; and making available modern educational equipment and specially qualified personnel, including artists and musicians, on a temporary basis to public and other nonprofit schools, organizations, and institutions.

The planning of such programs would require the participation of state educational agencies, institutions of higher education, nonprofit private schools, and public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources. Additionally, the programs must provide for participation by students enrolled in nonprofit private schools.[43]

Although the President's program did not furnish direct funds for private and parochial schools (as the construction loans requested by Catholics in 1961 would have), it did offer them participation in developing some of the programs and made it compulsory that non-public school students be given an opportunity to share in the educational materials and services provided under the relevant titles of the legislation. The vital question, of course, centered on the extent to which these arrangements were sufficient enough to at least partially satisfy the Catholic demand for equal treatment and at the same time did not venture so beyond the separation of church-state principle that they would produce vigorous opposition on the part of other religious and nonreligious groups.

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[43] Senate Committee on Labor and Public Welfare, Elementary and Secondary Education Act of 1965, 89th Congress, 1st Session (1965), 24-59.

A partial answer to this question was provided on the very day that the President delivered his education message. A statement issued by Monsignor Hockwalt indicated that the proposals had won qualified support from the Catholic hierarchy. Reacting to the message, the Monsignor said:

> The major purpose of the President's message is to meet the educational needs of the children. This emphasis on the child, the student, I applaud. Priority is given to children in areas of economic distress. This is as it should be. Improving educational opportunities in areas of proven need will best profit both the children and the Nation. I would urge, however, that consideration be given to other resources available in those areas; namely, the private nonprofit schools. It should be emphasized repeatedly that the beneficiaries of any aid program should be the children wherever their wants are found.
>
> Of great significance is the fact that the President calls for cooperation between the Nation's public and private schools. I have always considered the public and private school systems of this country to be partners, not competitors in education. Our experience in many parts of the country proves the great benefit that such a partnership can be to the children in all schools. The administration's suggestion to extend that partnership poses a new challenge for educators.[44]

This was not a strong endorsement of the President's attempt to resolve the issue, but surely the Catholics could not display too much enthusiasm even if they were more pleased than indicated. A public expression of compromise, not victory, was essential if the possibility of repeating the 1961 conflict was to be minimized.

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[44] New York Times, January 13, 1965, p. 21.

On the same day of the President's message and Monsignor Hockwalt's statement, the National Education Association, an opponent of private school aid,[45] issued a statement which approved the Administration's program as both realistic and "politically feasible" and pledged to seek widespread support throughout the nation. The position of the N.E.A. was expressed by Robert E. McKay, Chairman of the N.E.A.'s Legislative Commission, who commented: "We're encouraged to believe we're on the threshold of a major breakthrough in Federal support of education in this country." Asked about the church-state issue, McKay said he saw no violation of the traditional separation of church and state in the President's program.[46]

Apparently, the timing and the substance of the simultaneous statements issued by these two influential groups were not coincidental. Individuals who were involved with the 1965 effort have indicated to this writer that the Administration (usually represented by Francis Keppel) conducted a series of individual and joint meetings with representatives of the National Catholic Welfare Council and the National Education Association during the summer and fall of 1964 to discuss "what kind of bill would be acceptable to all the major parties." According to one interviewee, "this marked the first time that the Council began to communicate with the NEA." In view of the above statements and consequent enactment of the proposal, the communication between the two groups and the Administration was effective. Indeed, in reference to these meetings, one spokesman went so far as to state: "that by the time the bill became public the real battle was already over."

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[45] N.E.A. policy states that it seeks federal support of public education if it adheres to, among others, the following principles: that expenditure of the federal funds be only for the purposes for which the states and localities, under their constitutions and statutes, may expend their own public education funds (Title II violates this principle); that the legislation be consistent with the constitutional provision respecting an establishment of religion and with the tradition of separation of church and state. N.E.A. Legislative Commission, Federal Legislative Policy, 1965-1966 (Washington, D.C.: N.E.A., 1965,) p. 7.

[46] New York Times, January 13, 1965, p. 21.

One battle may have been over this early, but if the history of the school aid movement contains a lesson it is that anything conceivable can happen to an education bill before it reaches its final destiny. If the Administration had successfully drafted a proposal which gained prior approval of both the N.C.W.C. and the N.E.A., it was still confronted with the task of winning over, or at least neutralizing, some of the other major interest groups.[47]

Some opponents of school aid to non-public schools (in any form) warned immediately that all would not run smoothly for the 1965 federal aid bill. Glenn L. Archer, Executive Director of the Protestants and Other Americans, commented that the program would "erode the United States tradition of separation of church and state. The plan seeks to slink under, around and about the constitutional barrier against public subsidies to church schools."[48] The reaction of other religious and secular groups who were potential opponents, such as the National Council of Churches, the Joint Baptist, the Jewish groups, and the Chamber of Commerce, was unpublicized and probably would be expressed at the hearings which were due to begin before the House General Subcommittee on Education on January 22.

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[47] It is also important to note that the American Federation of Teachers had reversed its position on aid to parochial schools. In November, 1964, the organization declared that it was in favor of federal support for children "in every educational situation," including private schools. New York Times, November 8, 1964, p. 42.

On that day, backers of the Administration's bill received additional support from an important center of power (at least relative to federal aid for education) within the Congress. Representative James Delaney, the Roman Catholic legislator who was instrumental in blocking President Kennedy's education program in the Rules Committee during 1961, said in an interview that the "discriminatory" approach of the Kennedy proposals for aid limited to public schools had now been avoided by making "the child, not the school, the beneficiary of the program." However, Delaney also warned that should the House Education and Labor Committee report a bill that failed to include any aid for parochial schools, he would "be against it."[49] This announcement made the proponent task clear: they would have to advance the bill through the committee stage essentially in tact and resist amendments which would deplete parochial school assistance and consequently endanger blockage of the bill once again at the Rules junction of the legislative trek.

Although the House hearings began on Friday, January 22, it was not until the following Monday that the first major interest group expressed its official views on H.R. 2362 before a congressional committee. Robert McKay, representing the 903,000 members of the N.E.A., reaffirmed the organization's announced support of the bill. McKay described the proposal as "realistic" and stated: "It gives a practicable basis for resolving some of the thorny controversies which have surrounded earlier efforts to provide Federal support of education."[50] The witness enumerated the principles which guide N.E.A. policy on federal aid and then said: "The President's proposals do not, in my opinion, violate these principles. In its approach and emphasis the program has the wholehearted support of the National Education Association." Representative Carl Perkins (D., Ky.), chairman of the subcommittee, asked: "Do you consider the dual enrollment as contemplated in Title I or any other provisions in this bill in violation of the constitutional provision for separation of church and state?" McKay answered, "Mr. Chairman, on behalf of the NEA may I express the firm conviction that this program in no way violates the principle of separation of church and state."

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[48] _Ibid_., January 13, 1965, p. 21.

[49] _Congressional Quarterly_, February 5, 1965, p. 201.

This latter statement was challenged by Representative Charles Goodell (R., N.Y.) on the grounds that McKay did not understand the implications of the bill.

> Mr. GOODELL. That is fine. You made the point, but I am not sure you have read the bill. Have you read Title II?
>
> Mr. McKAY. I have read the bill from cover to cover.
>
> Mr. GOODELL. Do you understand what happens in states that bar aid to private schools under Title II?

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[50] House Committee on Education and Labor, Aid to Elementary and Secondary Education, 89th Congress, 1st Session (1965), p. 236.

Mr. McKAY.	Perfectly.
Mr. GOODELL.	The aid will go directly to the private school for textbooks approved by the public school officials.
Mr. McKAY.	That is not the way I read that provision, Mr. Goodell.
Mr. GOODELL.	How do you read it?
Mr. McKAY.	I read it that the instructional material, the library books, the other materials will go to the child.
Mr. GOODELL.	We had testimony just the other day from the Administration that it is not to the child, but it is to the school or to the library, How do you give a library book to the child?

The issue at point in this exchange was not satisfactorily resolved; Representative Goodell maintained that private schools would be given direct aid and the N.E.A. official stressed the interpretation that aid would go to the child, not to the school. In fact, this emphasis on providing assistance to the student not the private school becomes, as will be indicated, the key theme that characterizes the position taken by several other principal groups which in the past opposed school aid to non-public schools.[51]

After the N.E.A. stated and defended its position, Thursday, January 28, became the crucial day for the backers of school aid; testimony in the morning would be given by the major Protestant organizations and the afternoon hearings would include a spokesman for the National Catholic Welfare Conference. Conceivably, this was the day that could "make or break" the school aid effort in 1965.

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[51] The reasoning behind this principle may be traced to the case of Everson v. Board of Education. In this case a New Jersey law authorized school districts to pay transportation costs of children going to and from all nonprofit schools, with the district reimbursing parents of children who use public transit. In a five-to-four decision, the Supreme Court ruled that the primary object of the law was public safety, not assistance to private education, and it therefore did not violate the First Amendment. This has come to be known as the "child benefit" principle and was used repeatedly by groups in 1965 to justify their position.

Arthur Flemming, former Secretary of Health, Education, and Welfare in the Eisenhower Administration, was the first witness. Flemming appeared as a representative of the National Council of the Churches of Christ, [illegible] organization consisting of 31 member communions with a combined membership of over 40,000,000. Reacting to Title I, he said: "We believe that it is a basically sound proposal. We welcome it. We likewise welcome the inclusion of the pending proposal of the concept of 'dual school enrollment' or 'shared time.'" He continued by stating:

> I should underline the fact that our support is for a program under which the Federal Government helps public elementary and secondary schools to make some of their facilities and other resources available to students from private schools. A program for making Federal funds available to the private schools would be opposed vigorously by many of the member communions of the national council. As the general board stated in 1961: We oppose grants from Federal, State or local tax funds for non-public elementary and secondary schools.[52]

In reference to Titles II and III, Flemming expressed approval on the grounds that they were "designed to give assistance to students as contrasted with assistance to private schools." However, he suggested that the legislation be revised to insure that the resources made available under these provisions be administered by public authorities and be retained as public property to be loaned, not granted, to non-public schools. The over-all tone of Flemming's testimony was reflected in his concluding remarks. He noted that the church-state issue "has been one of the principal roadblocks standing in the way" of federal aid and a "divisive factor in the life of our Nation."

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[52] Aid to Elementary and Secondary Education, pp. 736-764.

He expressed the hope

> that all concerned, both inside and outside of the Congress, will analyze H.R. 2362 with the end in view of doing everything possible to make it an instrument of reconciliation. I believe that it can be. I believe that President Johnson and his associates should be commended for providing us with this opportunity of approaching an old unsolved problem with a new spirit.

This statement of general approval by the first important Protestant group representative to testify before the House Committee clearly added further support for the Administration's bill. Other Protestant organizations expressed additional backing for the legislation.

Dr. C. Emanuel Carlson, Executive Director of the Baptist Joint Committee on Public Affairs, emphasized that the proposal was quite innovative and would require new thinking about many complex relationships. He noted that in the past education and welfare goals were often separated. He suggested, however, that the proposed bill brought these goals into closer context and remarked "we ought not be distressed if we find that these two objectives fused into one involve some rethinking, some creative work that may take a while to accomplish."[53] In reference to the concept of dual enrollment, he commented:

> Dual enrollment, to our way of thinking can well be defended as the right of all children to programs offered in the public schools, and in this instance to programs financed by Federal funds properly distributed through public channels to the public school districts and carried out in public facilities.[54]

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[53] *Ibid.*, p. 771.

[54] *Ibid.*, p. 772.

Dr. Carlson also suggested that the vocabulary of the bill be refined to indicate clearly where the ownership of materials was retained.

The representative of the National Lutheran Council, Dr. Philip A. Johnson, delivered a statement which, although not negative, was not nearly as positive as the two preceding statements. He stated:

> I believe I would reflect the judgment of the vast majority of our people in generally approving the significant new programs which have been designed to assist Americans whose educational opportunities have been, or are, limited and inadequate.

However, he also cautioned that: "It would be ironic if a laudable concern for improving the quality of education should, by stretching the pupil benefit theory to the limit, lead to the erosion of the public school system."[55]

Dr. W. Astor Kirk, representing the Methodist Board of Social Concerns, indicated that although the legislative body of his church did not have an opportunity to consider the specific piece of legislation under review

> the general legislative body in May did express itself with respects to increasing and improving opportunities for educating the economically and socially deprived . . . . I would say that generally one would expect Methodists, or a good many Methodists, across the country, to support the objectives of this bill.[56]

The spokesman for the Executive Council of the Episcopal Church, the Reverend Richard U. Smith, presented the clearest example of a definite shift in position by an organization on the issue of school aid. He pointed out that as recently as 1949 the general convention of the Episcopal Church was "unalterably against the use of Federal or State funds for the support of private, parochial, or sectarian schools." The 1961 convention reaffirmed this position by a resolution which stated: "Resolved, that we stand unalterably against the use of Federal funds for the support of private, parochial, or sectarian schools."[57]

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[55] Ibid., p. 775.

[56] Ibid., p. 777.

However, in response to the "growing inquiry on several crucial issues of church-state relations" a commission was appointed six months after the 1961 convention to undertake a study of the issues. Its report was presented to and adopted by the general convention in October, 1964. In part, the commission's report stated:

> The resolution of the 1961 convention, expressing disapproval of Government support of church-related schools, should be amended and supplemented by a recognition of the propriety of the inclusion of such schools in various secular public welfare programs. These programs include the provision of standard textbooks for students in all schools, the provision of equal bus transportation, programs for training of teachers in secular subjects, health and lunch programs, grants for the conduct of research, and provision of scholarships and loans to college students.

The final testimony of the morning was delivered by H.B. Sissel, representative of the United Presbyterian Church. His statement illustrated a refined alteration in the policy position of his organization on the question of federal aid to non-public schools. He noted that the General Assembly of the Presbyterian Church proclaimed its view on the subject in 1950. At that time it favored federal aid for elementary and secondary public education without subsidizing private and parochial schools. This action was reaffirmed in 1953, 1954, 1955, and 1956. After the legislative "stalemate" of 1961, however, the question was re-examined in 1963 and again in 1964. Although still opposed to the use of public tax funds for direct aid to private or parochial schools, the general assembly stated in 1964 that it

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[57] Ibid., p. 781.

> supports in principle a program of Federal aid to public schools system that would encourage shared-time arrangements to permit students enrolled in private or parochial schools to obtain a portion of their education in public schools.

Assessing the bill before the committee, Mr. Sissel commented:

> First, I am glad to see for the first time in many years a very real prospect for the enactment of a significant program of Federal aid to public schools. H.R. 2362 represents a fantastically skillful break in the stalemate occasioned by the church-state dilemma in previous legislative efforts.
>
> Second, the use of the poverty-impacted area concept is a highly commendable device by which to match resources with need. Only the most callous can quibble about the principle of basing the amount of aid on the degree and extent of need.
>
> Third, the encouragement of shared time or dual enrollment arrangements (around which, it seems accurate to say, a growing Protestant consensus of support is forming) provides one of the more creative breakthroughs that permits those who differ on ideological grounds to cooperate on pragmatic accommodation to each other's difference.
>
> Fourth, the complexity, prolixity, and vagueness of this bill in some of its sections is not only distressing, but necessitates the raising of some very serious questions as to how it would be administered if passed in its present form.[58]

The accumulative impact of the testimonies given during the morning session certainly disclosed further support for the Administration's bill among key Protestant organizations and represented a crucial initial success in averting a head-on clash between religious groups over the church-state dispute. The tone and substance of the statements were clearly more moderate and compromising than had been the case during the 1961 hearings. The basic objections to the proposal centered on who would retain title to the materials made available under Title II and who would control the centers established under Title III of the legislation. The witnesses recommended that in both instances responsibility should reside with public educational agencies.

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[58] *Ibid.*, pp. 784-789.

This atmosphere of "reconciliation" continued into the afternoon session when Monsignor Hockwalt appeared before the subcommittee members. The Monsignor repeated the statement he issued on the day President Johnson delivered his education message and continued by remarking:

> This statement was generally characterized as one of reserved approval and cautious optimism because, in my opinion, the administration's proposals offered a workable compromise in basing its provisions on the child, the welfare of the student . . . . Those who work with me share my continuing optimism. We reserve our cautions, however, since the legislative road ahead may be a long and difficult one with the provisions subject to change and amendments.

In an apparent attempt to indicate that the Catholics were also willing to compromise on the issue it was pointed out that:

> The formula for participation quite obviously is not based on equality of treatment nor does it pretend that it is. The formula suggested is obviously an accommodation. In our mind this accommodation, as we understand it to be stated in H.R. 2362, presents a challenge which can be met. There are a number of reasons for looking expectantly to the outcome of the Perkins bill.

Diplomatic consensus-building on the part of the religious organizations characterized the day's hearings which clearly promoted the chances of a proponent victory. However, the following day, Friday, January 29, was conspicuous for the first strong opposition to the bill from a major interest group and the introduction of outward partisan conflict into the hearings.

The principal afternoon witness was Dr. Edgar Fuller, Executive Secretary of the Council of Chief State School Officials. This organization is composed of the State commissioners and State superintendents of education from the 50 States and Puerto Rico, American Samoa, Guam, the Canal Zone, and the Virgin Islands. Dr. Fuller explained that many of the chief state school officers had not as yet responded to a questionnaire forwarded to them by him; therefore, he was testifying on the basis of policies adopted in November, 1964, and on returns from a considerable number of officers. Relative to Title I he stated: "Present indications are that the council and a substantial majority of its individual members will support the enactment." Such was not the case concerning Titles II and III. He asserted that Title II "would use Federal funds, in the face of Federal constitutional uncertainty, to reverse most State constitutions, laws and policies in education . . . . The council's policies clearly oppose the use of tax-raised funds for non-public educational institutions whether granted directly or indirectly. In reference to the provisions of Title III he asserted:

> Title III could not be supported under the current policies of the council. The combination of broad Federal administrative discretion in the location, establishment, financing, and scope of operation of such centers and authority to choose among competing projects vest more Federal authority than is appropriate in education.[59]

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[59] Ibid., pp.1118-1122.

The basis for these opinions was challenged by Representative John Brademas (D., Ind.) who declared he was "profoundly suspicious of the integrity . . . of these polls." Brademas questioned the validity of Fuller's testimony on the grounds that a nine-page letter preceding the questionnaire sent to the state officers was "highly partisan, highly charged emotionally" and could not produce objective answers. Congressman Brademas quoted sections of the letter sent by Mr. Fuller as stating:

> The political situation here is not good for the states. President Johnson and the congressional majority have a mandate by the Federal electorate to overrule many State electorates [Brademas inserted: 'I am not sure what the distinction there is.'] on segregation, on rural emphasis in State aid systems at the alleged expense of the large cities, and as Goldwater attitudes generally on Federal aid and States rights. They see their Federal attitudes rapidly becoming more common in both State legislatures and in Congress through reapportionment. They are feeling their political oats, and there is much distrust of the States.[60]

Fuller replied that the information contained in the letter represented his own analysis and that the organization encouraged dissenters, to which Brademas rejoined: "Is it not possible you are the dissenter and that the balance of your members may take a different viewpoint?"

After a series of exchanges between Fuller and Brademas, Representative Goodell interrupted by declaring: "The thing that bothers me is that the first time we get criticism there apparently is resentment and an attempt to muzzle the witness." This accusation produced another long series of exchanges and shattered the rather serene atmosphere which had typified the first seven days of hearings.

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[60] Ibid., p. 1144.

Criticism of H.R. 2362 mounted during the last two days of testimony. On Monday, February 1, a spokesman for the American Jewish Congress, Howard M. Squadron, reaffirmed that organization's commitment to federal aid for education but stated: "There are three aspects of H.R. 2362 which cause us grave concern. Indeed, we find ourselves opposed to the measure in its present form." This opposition was based on the following reasoning: (1) that the shared-time program would provide a form of financial assistance and subsidy to parochial schools; (2) that there is no difference between the grant of federal funds to sectarian schools to purchase materials and the grant of such materials themselves--both are contrary to the principle of the separation of church and state; and (3) the establishment of centers under Title III must be under control of a public body. "The idea of a partnership betwenn church and state . . . is directly contrary to the entire philosophy of the first amendment."[61]

Leo Pfeffer, professor of constitutional law at Long Island University, testified as an individual with no organizational ties. He indicated that he did not detect any serious constitutional problem in Title I, but that the granting of funds for purchasing educational materials to be used in parochial schools and for special educational centers could not be constitutionally justified on the child-benefit theory basis because funds would be utilized to support religious schools.

A representative of the American Civil Liberties Union, Lawrence Speiser, expressed the opinion that the Administration's bill as written " could authorize the most dangerous subversion of the constitutional principle of church-state separation since . . . 1786 . . . . As now written Titles II and III are clearly unconstitutional."[62] Mr. Speiser also suggested that provisions of the bill might encourage the establishment of private segregated schools to avoid the Brown 1954 decision. He proposed a number of amendments to the bill. In part, these included a provision against segregation in the dual programs under Title I; a deleting of the section permitting the Commissioner of Education to provide funds for educational materials for private schools in states where no state agency would be authorized to do so; a provision which would vest title to such material with a public agency; and an amendment that no administrative authority over federally financed programs be given to any church or religious agency or institution.

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[61] Ibid., pp. 1531-1535.

The final major group to testify before the House Subcommittee repeated several of the reservations concerning H.R. 2362 that were expressed by the organizations discussed above. Speaking for the National Advisory Council of Protestants and Other Americans United for Separation of Church and State, Stanley Lowell read a statement approved at the 1965 national conference of the organization. In part, the statement said:

> . . . current proposals for Federal aid to education should not violate or circumvent this country's long-time tradition the separation of church and state. Since these proposals [H.R. 2362] do provide for grants of aid in the form of funds, equipment and personnel for schools wholly owned and operated by churches, we suggest and recommend that such features of otherwise commendable legislation be deleted.

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[62] Ibid., p. 1660.

> We also ask reconsideration of those proposals which would contravene State constitutional provisions regarding church-state relations.[63]

In sum, the objections to the education bill centered on Titles II and III. Although a few organizations criticized Title I on the grounds that it would subsidize and encourage the proliferation of private schools, the strongest and most persistent protest dealt with public ownership and control of instructional materials and structures made available under Titles II and III and the by-passing of state constitutions, where necessary, to provide educational material to private school students. In an effort to meet some of these objectives, the House Subcommittee amended the Administration draft bill to insure, among other things, that a public authority would retain title and administrative control over library materials and textbooks purchased for students attending non-public schools. Such material would be made available on a loan basis only, rather than given, to private school pupils and teachers. An additional amendment stipulated that the supplementary educational centers established to provide enriched educational opportunities for both public and non-public school students would remain under control of public agencies.[64]

The Subcommittee reported H.R. 2362 with amendments for full Committee consideration on February 5 by a vote of 6 to 0. Only the six Democratic members of the group voted for the measure as the three Republican members boycotted the meeting to protest the "hasty and superficial" deliberation given the bill. The full Committee on Education and Labor considered the bill in executive sessions between February 25 and March 2. On the latter date it ordered the bill reported with amendments on a twenty-three to eight vote. Two Republicans, Representatives Odgen R. Reid (N.Y.) and Alphonzo Bell (Calif.) voted with the twenty-one Democrats on the Committee to favor the report.

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[63] Ibid., p. 1762.

[64] House Committee on Education and Labor, Elementary and Secondary Education Act of 1965, 89th Congress, 1st Session (1965), Report No. 143.

The hearings which took place before the Senate Subcommittee on Education between January 22 and February 11 did not reveal any alterations in the alignment of the major interest groups. Consequently, the hearings before both congressional committees indicated that those organizations supporting the Administration's legislation included most of the long-time secular proponents of federal aid with the major exception of the Council of Chief State School Officers which favored Title I but objected to sections of Titles II and III. In addition to these groups (such as N.E.A., A.F. of T., AFL-CIO, Americans for Democratic Action, etc.) the bill gained the general approval of both the Catholic groups[65] and most of the principal Protestant organizations plus a number of Jewish groups.[66] The sectarian opposition was led by the American Jewish Congress plus a number of other Jewish organizations listed below and the Protestants and Other Americans. They were joined in their resistance by the American Civil Liberties Union, which also stressed the constitutional "weaknesses" of the bill.

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[65] The non-sectarian Citizens for Educational Freedom split with the Catholics by expressing reservations concerning the bill.

[66] The Jewish community was seriously divided over the bill. Some groups, such as the National Society for Hebrew Day Schools, the Union of Orthodox Rabbis, the American Jewish Committee, the National Council of Young Israel, the Union of Orthodox Jewish Congregations of America, Agudath Israel, and the Rabbinical Alliance of America favored the bill as a measure to support the growing number of all-day Jewish schools. They were opposed by those organizational fearing the breakdown of church-state separation. Among the latter were: the American Jewish Congress, the Jewish Labor Committee, the Jewish War Veterans of the U.S., the National Council of Jewish Women, the Union of American Hebrew Congregationists, and the United Synagogues of America.

Interestingly, the groups which opposed the legislation on church-state grounds received virtually no support from other non-religious organizations which have traditionally opposed federal school aid on the basis of fiscal considerations, federal control, and need. Such organizations as the U.S. Chamber of Commerce, the various State Chambers of Commerce, the National Association of Manufacturers, the American Legion, the D.A.R., and the American Farm Bureau, simply did not take their usual active parts in opposing the school aid bill. Indeed, none of these groups testified on the bill in 1965. Consequently, the handful of religious groups, the American Civil Liberties Union, and the Council of School Officers were the only major organizations overtly opposed to the legislation. Comparing this alignment to the unique lineup of groups on the proponent side, including such strange bedfellows as the N.E.A., the National Catholic Welfare Council, and the National Council of Churches, it is not unreasonable to suggest that during the 1965 school aid deliberations the interest group pattern was characterized by the weakest opposition alliance facing the strongest proponent coalition of the postwar period.

There appear to be several factors which help illuminate why the proponent coalition developed the way it did. Fundamentally, the responsible leaders in the Administration (particularly Secretary Celebrezze, who is a Catholic, and Commissioner Keppel) apparently did their homework. Not only did they consult with important groups separately before drafting the bill to get a feel for what would be acceptable, but they were also successful in setting up discussions between groups, such as the N.E.A. and the N.C.W.C., who were not only on opposite sides of the issue in the past, but did not even communicate with each other. Further, the Administration managed to draft a bill in such a manner that while it did not avoid conflict over the church-state issue completely, it did offer enough private school assistance to gain the support of the Catholics and yet not the kind of aid which would force the Protestant groups into rigorous opposition. The stress on providing aid to the child and thus expanding the child-benefit theory, the use of dual enrollment programs, and shared facilities, took advantage of the shift in Protestant thinking that was evidently taking place between 1961 and 1965 as was illustrated by the statements issued at conferences and repeated in the hearings. The drafters of the Administration's proposal were astute enough to recognize the compromising potential of this shift and wise enough to incorporate its features into the draft legislation.

Behind these explicit factors concerning the new lineup on the church-state issue lingered the memory of the 1961 conflict. In a sense, the 1961 clash over private school aid may actually have been latently beneficial for the proponents of school aid if one considers the impact of its feedback on the politics surrounding the aid effort in 1965. Apparently, the debacle of 1961 did not result in a termination of the federal aid effort for a long period to come as many close observers suggested; instead, it seems that it actually stimulated a new determination among several of the key interest groups to seriously reconsider their positions and search for grounds of compromise rather than run the risk of repeating the 1961 incident. A spokesman for one of the religious organizations provides some support for this suggestion. In an interview he commented:

> No one wanted another eyeball to eyeball episode like '61--a repeat of that would have meant the end of Federal aid for a long time. Since neither side wanted to be responsible for such a development both sides were willing to look for ways to compromise.

Beyond the reminder and feedback of the 1961 religious strife over school aid were several other factors which seem to have encouraged moderate reactions by the religious organizations to the 1965 proposal. Certainly the reform movement in Catholic Church initiated by Pope John and the consequent ecumenical council beginning in 1962 and the present ecumenical movement did much to improve relations between Catholics and other religious groups. Both Catholic and Protestant leaders were not disposed to have the newly developed "ecumenical spirit" threatened by another bitter fight over federal aid to non-public schools.[67] Additionally, the shift in public opinion among Protestants concerning federal aid to parochial schools, discussed earlier, would also suggest that the Protestant leadership could more easily support an "indirect" form of non-public school assistance than it was able to in the past without risking a violent grass-roots reaction.

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[67] The fact that the Pope and the Archbishop of Canterbury met in March of 1966 for the first time in 500 years is indicative of the new rapport between these religious groups and what another school aid fight might have done to threaten this rapport in the United States.

The fact that the N.E.A. supported a proposal including aid to non-public schools requires further comment. Spokesmen for the N.E.A. maintain that they did not compromise their principles in supporting the bill,[68] but surely the provision in Title II which allows the U.S. Commissioner of Education to supply educational material and textbooks directly to private school students if the state constitution of a state prohibits such action clearly violates the stated principle of the N.E.A. "that expenditure of the Federal funds be only for the purpose for which the states and localities, under their constitutions and statutes, may expend their own public education funds." One can only infer from this apparent contradiction between statement and behavior that the N.E.A. leadership, like the relevant religious organizations, had been reconsidering its position on non-public school aid as a result of the 1961 episode. Unlike the religious groups, the public statements of the N.E.A. do not reveal a shift in their principles; however, after so many years of failure it apparently was decided that it was necessary to display flexibility and interpret principles more liberally at a time when it seemed that the long-sought victory would be within grasp.

Several explanations have been suggested to account for the lack of opposition by traditional opponents of federal school aid. One spokesman for a fiscally conservative organization stated the opinion that the lack of activity on the part of the U.S. Chamber of

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[68] See testimony of McKay: Aid to Elementary and Secondary Education, p. 236.

Commerce reflected a reaction to the 1964 Democratic landslide. The Chamber apparently felt that opposition would do little to block the bill given the overwhelming liberal Congress, thus they were not willing to become involved in a "hopeless" battle. They did not want to display, in face of the recent national mandate, an "image" of opposition for opposition's sake. Additionally, it would be better to reserve whatever political resources they had for use on an issue when success was more likely.

Other interviewees suggested that while the above may partially explain the development an additional factor was operative. They suggested that the Chamber and other business groups may be altering their stance on federal aid to education as it becomes increasingly apparent that the health of the economy is not unrelated to the educational level of the population. This is particularly persuasive when aid is put in terms of assisting poverty-stricken youngsters to become employable in the society instead of wards of society.

It is proposed that this combination of a new proponent coalition and a seriously weakened opposition is one of the salient factors contributing to the passage of the Elementary and Secondary Education Act of 1965. The lineup on the proponent side of the leading educational groups plus the Catholics and major Protestant organizations meant that more congressmen than in the past could assume that support for the bill existed in their district. With the Jewish groups split over the bill, only those congressmen from conservative Protestant districts would have felt constrained to oppose the measure (assuming an interest group interpretation).

Some commentators have suggested that given the liberal composition of the 89th Congress, President Johnson could have proposed and the Congress would have enacted almost any kind of education bill. However, this writer would argue that the Administration's success in bringing the Catholics into the proponent fold was certainly an essential aspect of the mixture of factors which explains the eventual passage of the legislation. Strong Catholic opposition would probably have been sufficient, in view of Delancy's statement, to block the bill once again in the Rules Committee. If a bill opposed by the Catholic organizations successfully circumvented the Rules Committee, it would have been confronted by the greatest number of Catholic representatives (94) to sit in the House. This fact in no small way must have been considered in drafting the education bill even if one assumes, no doubt correctly, that factors other than religion are important in influencing a congressman's vote on school aid. Although it is likely that a majority of Catholic representatives would have voted for a "public school only" bill,[69] it is also conceivable that a determined minority of Catholic congressmen (perhaps lead by Speaker McCormack) may have formed the nucleus of a coalition that could have delayed, altered or possibly defeated the 1965 education bill. Consequently, the support of the Catholic hierarchy was a crucial proponent success.

Likewise, a bill that went too far in extending assistance to parochial school students would probably have been opposed both by Protestant organizations and the N.E.A. Conceivably, such an alignment could have brought the Chamber of Commerce and other long time foes of school aid into active opposition. It is doubtful that a bill opposed by the latter groups would have passed.

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[69] Even in 1961 77% of Roman Catholic representatives voted for the motion to consider the school aid bill that was brought to the House floor via Calander Wednesday, including Delaney.

In sum, with the segregation issue essentially neutralized by the Civil Rights Act of 1964, the drafters of the school aid bill in 1965 were faced with the task of constructing a proposal that would not inflame the church-state issue. Although not totally successful, the resulting group alignment would imply that the bill was indeed a "fantastically skillful break in the stalemate."

CHAPTER IV

DEMAND ARTICULATORS: POLITICAL PARTIES AND THE PRESIDENT

I. The Party Role in Policy Making

In terms of the model of legislative change being utilized in this study, the discussion to this point has dealt with the categories of circumstantial conditions, constituents, and interest groups. Each of these factors has been analyzed as a possible source of new legislative input and has been related, directly or indirectly, to the emergence of the new policy output under consideration. This chapter relates federal aid for education to two other principal pressures on legislators and the legislative system: political parties and the chief executive.

Political parties perform a variety of functions in the American legislative process. To a large extent the parties, among other things, take the responsibility of organizing and providing the leadership of the legislature, establishing the rules for negotiation and decision-making, overseeing the activities of the executive branch, and providing the public, to some degree, with contrasting policy positions on national issues.[1] One aspect of the party role in the legislative process is particularly important for purposes of this investigation yet difficult to assess. It is the extent to which legislative outputs are a function of party votes. In other words, how influential is party affiliation in explaining the voting behavior of congressional decision-makers? The obvious difficulty in answering this question concerns the isolation of the party influence on the individual from other factors, a process which can only be accomplished by inference. The subjective nature of this kind of analysis is suggested by one political scientist's remark that "the ideal way to assess the nature and role of party influence would be to get a machine that would look into a person's mind as he was making it up and sort out and measure all the various considerations that went into the final result."[2]

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[1] William J. Keefe and Morris S. Ogul, The American Legislative Process: Congress and the States (Englewood Cliffs: Prentice-Hall, Inc., 1964), p. 270. The latter point, of course, has been the center of considerable discussion in the field of political science. See, for example: "Toward a More Responsible Two-Party System," supplement to the American Political Science Review, Vol. XLIV (September, 1950); Austin Ranney, The Doctrine of Responsible Party Government (Urbana: University of Illinois Press, 1954); and Stephen K. Bailey, The Condition of Our National Political Parties (New York: Fund for the Republic, 1959).

Lacking such access, political scientists have resorted to roll call analysis, which enables the investigator to determine the degree to which members of the same political party vote together on issues and the composition of deviating voting blocks. In an analysis of the proportion of party members voting in harmony during the various congressional sessions between 1921 and 1948, Julius Turner found that "party pressure seems to be more effective than any other pressure on congressional voting, and is discernible on nearly nine-tenths of the roll calls examined."[3] The saliency of party voting has also been pointed out by Lewis Froman who shows that for the years 1957 through 1961 the proportion of roll call votes in both the Senate and House which had a majority of Democrats opposing a majority of Republicans was 42, 50, 42, 47, and 58 per cent, respectively.[4] In sum, this model of policy making asserts that the most prominent factor affecting a legislator's voting behavior is his party affiliation.

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[2] Neil A. McDonald, The Study of Political Parties (New York: Doubleday and Company, 1955), p. 70.

[3] Julius Turner, Party and Constituency: Pressures on Congress (Baltimore: Johns Hopkins Press, 1951), p. 23.

Within this framework legislative innovation may be brought about in two principal ways: (1) one or both of the major parties may assume a new policy posture on an issue; (2) the party ratios may be altered as a result of an election which produces a new party majority. The available evidence indicates that the latter possibility is applicable in this case. Consequently, the question is to what extent can the passage of the 1965 Education Act be related to the overwhelming Democratic landslide of 1964? Did the Democratic gain of 2 Senators and 38 Representatives, giving the Democrats a plurality of 36 in the Senate and 155 in the House, help or hinder the chances of federal school aid in 1965?

II. The Parties and Federal Aid for Education

In order to treat this question it is necessary to compare the publicly announced stance (via national party platforms) of the Democratic and Republican parties on Federal aid, the overt voting behavior of Democrats and Republicans on key roll call votes involving enlarged federal responsibilities in domestic affairs, and the preferences of Democrats and Republicans on past federal aid to education roll call votes. Once these factors are examined an attempt is made to link this information to the Democratic majority in the 89th Congress and the passage of the 1965 school aid bill.

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[4] Lewis A. Froman, Jr., Congressmen and Their Constituents (Chicago: Rand McNally and Company, 1963), p. 88. Also see Duncan MacRae, Jr., Dimensions of Congressional Voting (Berkeley: University of California Press, 1958) and David B. Truman, The Congressional Party (New York: John Wiley and Sons, 1959).

A review of party platforms in the postwar era reveals that the Democratic Party has consistently favored federal aid for education while the Republican Party has generally opposed such legislation, although the Republicans supported limited aid in 1956 and 1960.

The Republicans included no mention of the school aid issue in their 1944 platform, but the Democrats made their position clear by stating: "We favor Federal aid to education administered by the states without interference by the Federal Government."[5] Four years later the Republicans once more avoided the issue by merely saying: "We favor equality of educational opportunity for all and the promotion of education and educational facilities."[6] The Democrats expressed a much stronger stance on the issue and accented the partisan nature of the question.

> We advocate Federal aid for education administered by and under the control of the state. We vigorously support the authorization, which was so shockingly ignored by the Republican 80th Congress, for the appropriation of $300 million as a beginning of Federal aid to the states to assist them in meeting the present educational needs. We insist upon the right of every American child to obtain a good education.[7]

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[5] Kirk H. Porter and Donald B. Johnson, National Party Platforms, 1840-1960 (Urbana: University of Illinois Press, 1961), p. 403.

[6] Ibid., p. 453.

[7] Ibid., p. 433.

By 1952 the two parties had taken clearly opposing positions on the issue of federal assistance for education. The Democratic platform pledged "immediate consideration for those school systems which need further legislation to provide Federal aid for new school construction, teachers' salaries and school maintenance and repairs." In contrast, the Republican platform stated: "The tradition of public education, tax-supported and free to all, is strong with our people. The responsibility for sustaining this system of popular education has always rested upon the local community and the States. We subscribe fully to this principle."[8]

In 1956 the Republicans indicated a moderate alteration in their position. The Eisenhower Administration had proposed a limited school construction program and the platform pledged that the party would "renew its efforts to enact a program based on sound principles of need and designed to encourage increased state and local efforts to build more classrooms." The Democrats re-emphasized their commitment to federal aid by recommending a broad program:

> The resources of our States and localities are already strained to the limit. Federal aid and action should be provided . . . to assist States and local communities to build schools, and to provide essential health and safety services for all school children; for better educational, health and welfare opportunities for children of migratory workers; for training teachers of exceptional children; and for the training of teachers to meet the critical shortage in technical and scientific fields.[9]

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[8] _Ibid._, p. 504.

[9] _Ibid._, p. 535.

During the 1960 campaign the two parties again expressed conflicting views on the issue. The Republicans endorsed limited federal involvement in financing classroom construction only. Their platform stated:

> The Federal government should assist selectively in strengthening education . . . . We believe moreover that any large plan of Federal aid to education, such as direct contributions to or grants for teachers salaries can only lead ultimately to Federal domination and control of our schools.[10]

Senator John F. Kennedy, the Democratic candidate for the Presidency in 1960, endeavored to make federal school aid a major election issue. He criticized the limited support given by President Eisenhower and attacked the Republican candidate Vice President Richard Nixon, for backing a limited construction program and referring to federal aid for education as "too extreme."[11] The Democratic platform reviewed the nature of the educational "crisis" existing in America and stated:

> Only the Federal Government is not doing its part. For eight years, measures for the relief of the education crisis have been held up by the cynical maneuvers of the Republican Party in Congress and the White House. We believe that America can meet its educational obligations only with generous Federal financial support.[12]

The 1964 Presidential campaign was characterized by the vast differences in the ideological stance of the candidates and the parties. The Republican convention[13] was captured and controlled by the more conservative elements of the party whose leader, Senator Barry Goldwater, promised to provide American voters with a real choice, not an echo, to select between two perspectives of American life. Among the election issues of nuclear arms control, civil rights, the "quality" of American life, and the Goldwater crusade against centralized government, the latter issue is most relevant to federal aid for education. Goldwater was a long-time critic of the expanding role of the Federal government and over the years had, among other things, denounced farm subsidies; advocated the abolition of Rural Electrification; and urged the selling of T.V.A. Speaking before the Senate Subcommittee on Education in 1961, he expressed his views on federal aid for education.

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[10] *Ibid.*, p. 615.

[11] Theodore C. Sorensen, *Kennedy* (New York: Harper and Row, 1965), p. 200.

[12] Porter, *op. cit.*, p. 590.

[13] See Theodore H. White, *The Making of the President, 1964* (New York: Atheneum Publishers, 1965), Chapter 7.

> It is my strong belief that most of these proposals [education bills], including the bill, S. 1021, sponsored by the administration, are both unnecessary and unsound. I am convinced that they represent another long step in the direction of reducing our State and local governments to mere subordinate, administrative divisions of the central government in Washington.
>
> I wish to make it clear that I do not believe that we have an educational problem which requires any form of Federal grant-in-aid program to the States.[14]

In contrast to Goldwater, President Johnson, as the Democratic Party bearer, was a strong advocate of the positive role of the Federal government and, as will be indicated in the second section of this chapter, the strongest supporter of federal aid for education to occupy the White House. His platform pledged further and more comprehensive federal aid to supplement those programs enacted by the "Education Congress of 1963."[15]

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[14] Senate Committee on Labor and Public Welfare, Public School Assistance Act of 1961, 87th Congress, 1st Session (1961), pp. 538-539.

[15] Porter and Johnson, op. cit. (Supplement, 1964), p. 4.

This brief review of party statements illustrates quite clearly that at least at the verbal level the Democratic Party has been a more enthusiastic champion of federal school aid than the Republican Party. While Republicans have endorsed limited aid on occasion, the Democrats have consistently called for an expanded federal financial commitment to education. Further, the ideological gap between the parties on this issue, and others, was probably the greatest it has been in recent years during the 1964 campaign. This gap and the subsequent election outcome would suggest that the impressive Democratic victory in 1964 undoubtedly increased the possibilities of enacting a federal aid for education program. However, it is common knowledge that party platforms are at best a rough index to actual political behavior; therefore, an assessment of the party dimension in this study requires an examination of concrete action if credence is to be granted to the platform statements.

Party policy differences may be identified in a more empirical manner through the analysis of particular roll call votes. Congressional Quarterly, for example, has utilized key roll call votes on such issues as area redevelopment, temporary unemployment compensation, aid for education, housing, public power, manpower retraining, standby public works, and Social Security medicare to indicate the extent to which Democrats and Republicans vote for legislation which would tend to enlarge the Federal government's domestic responsibilities. Since aid for education is a component of this broader issue, it is worthwhile to note the differences which have been found. A glance at Table 13 shows that during the last three Congresses about 75 per cent of the

Democrats have voted for such legislation whereas a little less than 30 per cent of the Republicans have done so.

TABLE 13

PROPORTION OF DEMOCRATS AND REPUBLICANS VOTING TO ENLARGE FEDERAL ROLE: 1959-1964

	Both Chambers	Senate	House
86th Congress (1959-60)			
Democrats	74%	74%	74%
Republicans	19	27	17
87th Congress (1961-62)			
Democrats	75	65	78
Republicans	24	26	24
88th Congress (1963-64)			
Democrats	75	79	74
Republicans	40	47	40
Mean			
Democrats	75	73	75
Republicans	28	33	27

Source: Congressional Quarterly Almanac, 1960, 1962, and 1964.

This finding, in conjunction with the party statements included above, adds support to the proposition that the enlarged Democratic majority in the 89th Congress resulting from the 1964 election enhanced the possibility of enacting federal school aid legislation.

Further support for this proposition may be derived from another set of statistics. An examination of roll call votes, by party, on federal aid bills which reached the floors of the two congressional chambers since the end of World War II reveals several factors. The first obvious point made by Table14 is that in both the Senate and the House a majority of Democrats have voted for school aid legislation while, with the exception of Republican Senators in 1948 and 1949, a majority of Republicans have voted against the same proposals. It is also apparent from the table that the proportion of Democratic Senators approving education aid bills has been consistently higher than their counterparts in the House--an average of 85 per cent of the Senators compared to 64 per cent of the Representatives. This fact, in part, explains why prior to 1965 the Senate passed school aid bills on four occasions in the postwar period in contrast to the single instance (1960) a bill was approved in the House. Another point is deducible from the data included. A comparison of the relative proportions of party members voting for federal aid indicates that the issue has become increasingly partisan. An uncomplicated index of partisanship, the difference between the percent of Democrats and Republicans voting positively on the federal aid roll call votes referred to, shows that the variance between Democratic and Republican support for federal aid has increased over the years; particularly in the House where Democratic approval has steadily grown and Republican support has decreased.

III. The Parties and the 1965 Education Act

The vote on the 1965 Education Act was clearly in line with these partisan trends. The measure was supported in both the Senate

TABLE 14

PROPORTION OF DEMOCRATS AND REPUBLICANS VOTING FOR FEDERAL AID: 1948-1965

Year	Senate			House		
	Dem.	Rep.	Index	Dem.	Rep.	Index
1948	86.1%	61.4%	24.7%	-	-	-
1949	92.3	64.7	27.6	-	-	-
1956	-	-	-	53.1%	38.7%	14.4%
1957	-	-	-	56.5	41.0	15.5
1960	77.8	29.0	48.8	62.5	32.4	30.1
1961	77.4	26.7	50.7	66.7	3.6	63.1
1965	93.3	56.3	37.0	80.0	26.7	53.3
Mean	85.3	47.6	37.7	63.7	28.5	35.3

Source: For years 1948-1961, Frank Munger and Richard Fenno, Jr., National Politics and Federal Aid to Education (Syracuse: Syracuse University Press, 1962). For 1965, Congressional Quarterly Weekly Report, April 2, 1965, pp. 600-601 and April 16, 1965, p. 691.

and the House by a larger proportion of Democrats than on any earlier voting occasion. Additionally, in the House 80 per cent of the Democrats approved the bill while only 27 per cent of the Republicans supported it. In the Senate the difference was smaller, but the overwhelming proportion (93 per cent) of Democrats cast their vote for the proposal while a little over half (56 per cent) of the Republican Senators did likewise.

This combination of factors indicates the importance of partisanship as it relates to the outcome of school aid legislation. Given the Democratic Party commitment to education aid and the voting behavior of Democrats and Republicans on the 1965 bill, it becomes apparent that the Democratic victory in the 1964 congressional elections, particularly in the House where the Democrats experienced a net gain of 38 seats, was one of the key factors in the eventual passage of the 1965 Act. Indeed, every one of the forty-eight newly elected Democrats in the House who filled a seat formerly held by a Republican voted for the Elementary and Secondary Education Act of 1965.[16] An equally interesting statistic is illustrated in Table15 which shows that of the 201 non-Southern Democrats voting on the bill 197 supported it while a mere 4 opposed. This margin meant that the proponents needed only 21 votes gathered from Southern Democrats and/or Republicans to enact the measure in the House, where majorities for federal aid have been most difficult to realize.

TABLE 15

PARTY VOTE ON EDUCATION ACT OF 1965

	Senate		House	
	Yea	Nay	Yea	Nay
Non-Southern Democrats	40	0	197	4
Southern Democrats	15	4	31	53
Total Democrats	(55)	(4)	(228)	(57)
Republicans	18	14	35	96
Total	73	18	263	153

Source: Computed from Congressional Quarterly Weekly Report, April 2, 1965, pp. 600-601 and April 16, 1965, p. 691.

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[16] Computed from Congressional Quarterly Weekly Report, January 16, 1965, pp. 16-17 and April 2, 1965, pp. 600-601.

The above evidence all points to the conclusion that the Democratic victory in 1964 presented the Administration with an unusual opportunity to enact a federal school aid program. The gain of two Democratic Senators reaffirmed the already existing liberal majority in the Senate while the increase in the House resulted in the largest number of Democratic Representatives (295) and the greatest Democratic plurality (155) since the days of the New Deal. With this advantage the task confronting the Administration forces was the drafting of a bill that would not split the Democratic majority over such perennial issues as segregation, religion, and the allocation of funds.

As Table 15 above illustrates, three-fourths of the Democratic Senators from Southern States voted for the bill whereas in the House a majority of the Southern Representatives opposed the measure. The Southern response in the Senate versus the House may be explained in part by the more heterogeneous constituency of even Southern Senators in contrast to the relative homogeneous constituency of Representatives. Beyond this point, the Southern vote in the House implies that for many Southern Representatives the Civil Rights Act of 1964 by no means settled the issue concerning federal aid and segregated schools. Although the Brown decision outlawed segregated schools and the recent civil rights legislation has barred federal funds to such schools, it is necessary to note that the South has successfully resisted large-scale desegregation of its educational facilities. In fact, only 2 per cent of the Negro students in the South are attending integrated schools.[17] Consequently, it is understandable that many Southern representatives perceived the Education Act of 1965 as another central government weapon which would be used to undermine the traditional Southern school system. It is not unreasonable to suggest that this kind of relationship between federal aid and federal control is what was disturbing Representative Howard Smith as he spoke on the House floor against the bill:

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[17] Southern Educational Reporting Service, December, 1964.

> Mr. Speaker, we apparently have come to the end of the road so far as local control over our education in public facilities is concerned. I abhor that. There is nothing dearer to the American home than the neighborhood school, where you have your PTA and your different organizations, and all take a vital interest in the school and have some control of it. I hate to see that tradition destroyed and that control removed from the little neighborhood in the county and located in the bureaucracy of Washington, but I think I see the handwriting on the wall. This is the great day that the bureaucrats in the Education Department have looked forward to and have fought for a good many years.[18]

However, in spite of the lingering of the racial question in the minds of some, the bill did receive enough Southern support so that the Democratic vote alone (228 to 57) was sufficient to pass the bill in the House and in the Senate as well (55 to 4).

Another issue which contained the potential ingredients for splitting the large Democratic majority was, of course, the religious question discussed in Chapter III. As was pointed out earlier, Roman Catholics constituted the largest religious group in the 89th Congress (107). Had an episode similar to the 1961 religious conflict been repeated and Catholic schools excluded from the legislation, it is conceivable, though remote, that the Democratic Roman Catholics would have defeated the proposal in the House. Such an occurrence would be remote because there is little evidence to indicate that Catholic representatives would vote as a block against a federal aid bill which excludes assistance to parochial schools. Indeed, even the "watered-down" public school bill which was brought to the House floor in 1961 via Calendar Wednesday was supported by 77 per cent of the Catholics in the House (see Table 16). This suggests that Catholic opposition to a particular aid bill would generally not be problematic for the proponents as a result of Catholics voting *en masse* on the floor. It is more likely that Catholic organizations could threaten a bill they opposed by exerting pressure at the committee level, particularly in the Rules Committee as was the case in 1961, or by encouraging sympathic representativesto establish a coalition with House members opposed to school aid on other grounds. The fact that Democratic Roman Catholic congressmen were satisfied with the 1965 bill is evident from Delaney's vote in the Rules Committee and the fact that only 3 opposed the bill while 89 cast their vote for its passage.

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[18] Congressional Record, March 24, 1965, p. 5553.

Finally, one other issue embodied a latent possibility for dividing the Democratic block which was expected to sustain the legislation. Republican opponents of the Administration's bill presented the argument that the formula for Title I resulted in an "absurd distribution of funds" since the most affluent school districts in the nation who could well afford special educational services for their disadvantaged students would obtain federal assistance. They

TABLE 16

VOTE OF ROMAN CATHOLIC CONGRESSMEN ON SCHOOL AID ROLL CALL, 1961 AND 1965

	1961			1965		
House	Yea	Nay	Percent Yea	Yea	Nay	Percent Yea
Democratic Catholics	65	7	90%	78	2	98%
Republican Catholics	2	13	13	6	7	46
Total	67	20	77	84	9	90
Senate	Yea	Nay	Percent Yea	Yea	Nay	Percent Yea
Democratic Catholics	6	3	66%	11	1	92%
Republican Catholics	0	1	0	1	1	50
Total	6	4	60	12	2	86

Source: Compiled from Congressional Quarterly Almanac, 1961 and 1965.

pointed out that the 10 wealthiest counties, containing about 32,000 eligible children, would receive a total of $8,918,087 compared to $4,507,149 which would be granted to a sample of 10 poor counties with a similar number of children.[19] Supporters of the Administration's formula countered by asserting that the federal contribution to the ten wealthy counties would amount to only 1.9 per cent of their 1962 educational expenditures whereas the funds allocated to the poor counties would be equivalent to 34.2 per cent of their 1962 expenditures. They also argued that it was more costly to educate a student in the North, particularly in urban slums, than it was in the South.[20]

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[19] See the Minority Views in House Committee on Education and Labor, Elementary and Secondary Education Act of 1965, 89th Congress, 1st Session (1965), Report No. 143, pp. 70-71.

Congresswoman Edith Green (D., Ore.), a strong supporter of federal aid, found this response unconvincing. She noted that since the formula was tied to half the state's per pupil expenditures it resulted in a distribution pattern which would give Mississippi $120 and New York $353 per "poor"child. She inquired: " . . . where is the justice, where is the equity in this, to give the State which has the highest or one of the highest per capita incomes the most money?"[21] In support of an amendment she offered which would grant a straight $200 for each child from a low-income family she stated:

> Mr. Chairman, I really am serious in saying to my liberal colleagues, those of you who honestly and sincerely have been terribly concerned about the events in Selma, concerned about events in Mississippi during the last 2 or 3 years: Are you really shedding crocidile tears? Are we making pious statements about how awful things are and how we really want to do something about it, and then, when we have a bill that is before the House, we do the very least for these States of any single in the Nation?[22]

Representative Pepper respectively suggested that Mrs. Green had misunderstood the allocation principle underpinning the bill. He stated:

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[20] Congressional Record, March 24, 1965, pp. 5560-5562.

[21] Ibid., p. 5778.

[22] Ibid., p. 5779.

> This bill is not designed to bring the expenditure for all children in the elementary and secondary schools of America up to the same level . . . . It is to help the local community bring the educational expenditure for deprived children up to the level of the ordinary children . . . . That is what the gentlewoman overlooks.[23]

Congressman O'Hara (D., Mich.) warned against the "divide and conquer" possibility implicit in tampering with the formula. He claimed that:

> Many of those who are supporting this amendment and who intend to vote for this amendment are doing so not with the intention of supporting this bill if the amendment passes, but with the intention of opposing this bill regardless and they hope that others will join them if the change they advocate is agreed to . . . . If we want this bill we had better protect this formula.[24]

This amendment was defeated by a vote of 136-202 as were several others which attempted to revise or delete the formula. In fact, the administration forces retained enough cohesion to beat back nineteen amendments so that the bill was passed essentially in the form reported by the House Education and Labor Committee.[25] Consequently, the large Democratic majority was not seriously split by any of the controversial issues which have traditionally complicated the proponent effort.

The account thus far has stressed the extent to which the shift in party ratios resulting from the 1964 election, particularly in the House, was instrumental in promoting the passage of the 1965

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[23] *Ibid.*, p. 5811.

[24] *Ibid.*, p. 5813.

[25] The only floor amendment accepted was proposed by Robert Griffin (R., Mich.) which authorized the Commissioner of Education to appoint a ten-member advisory council to consult with concerning his functions under the Act.

Education Act. However, a glance back to Table 1 shows that the final House vote on school aid in 1965 was not only due to increased support among Democrats in the North (where most of the formerly held Republican districts were captured by the Democrats in 1964) but among Southern Democrats and Republicans as well. Consequently, variables other than party must be considered in analyzing the 1965 aid vote of Republicans and Southern Democrats. It is in this respect that the rationale underpinning the proposal plays a role in understanding the 1965 voting pattern on federal school aid. The data suggest that the emphasis on aiding poverty stricken students in urban centers not only gained the overwhelming support of Northern Democrats, but presumably was responsible, in part, for the fact that a considerable number of Republicans and Southern Democrats representing highly urban districts voted for the bill.

Relative to the Republican vote this may be illustrated in two ways. First, an analysis of the number of House Republicans voting for the proposal by region of the country indicates that of the total 35 yes votes cast by Republicans 22, or 63 per cent, were registered by Republicans from the most urbanized section of the country, the Northeast (see Table 17). Indeed, 43 per cent (15 votes) of the total Republican yes votes were recorded by representatives from New York (8) and Pennsylvania (7), both highly urbanized states.

This relationship between Republican yes votes and urbanism is denoted more specifically by Table 18 . It shows that when Republican districts are grouped according to the proportion of the population which is urban, the representatives from the highly urban districts

TABLE 17

VOTE OF REPUBLICAN HOUSE MEMBER FOR SCHOOL AID, BY REGION, 1965

Region	Number of Republican Districts	Number Voting Yes on School Aid	Percent of Total 35 Yes Votes Cast by this Region
Northeast	38	22	63%
Border	7	4	11
Midwest	54	5	14
South	16	0	0
West	25	4	11
Total	140	35	99%*

*Does not add to 100 per cent due to rounding.

Source: Compiled from Congressional Quarterly Weekly Report, April 2, 1965, pp. 600-601.

(100-70%) contributed almost two-thirds of all the Republican votes for federal school aid in 1965. Among the representatives from these highly urban districts, 42 per cent voted for the aid legislation while only 13 and 21 per cent of the representatives in the less urban categories favored the proposal. In sum, the bulk of the Republican support for the Education Act of 1965 came primarily from congressmen representing urban districts, particularly those in the Eastern portion of the nation. Certainly the substance of the 1965 Act must have facilitated the decision made by these Republicans to cross party lines on this issue.

TABLE 18

PROPORTION OF REPUBLICANS VOTING FOR
SCHOOL AID, BY PERCENT URBAN
OF DISTRICT, 1965

District: Percent Urban	Total Districts	Number Voting Yes on School Aid	Percent Voting Yes
High Urban (70-100%)	53	22	42%
Medium Urban (40-69%)	68	9	13
Low Urban (0-39%)	19	4	21
Total	140	35	25%

Source: Compiled from U.S. Bureau of the Census, Congressional District Data Book (Washington, D.C.: U.S. Government Printing Office, 1963) and Congressional Quarterly Weekly Report, April 2, 1965, pp. 600-601.

As was noted earlier, the majority of Southern Democrats voted against the Education Act of 1965 (53-31), as they did against the aid bills of 1960 (87-0) and 1961 (70-21). Consequently, the 31 Southern Democrats in the House who did support the 1965 bill constitute a deviant group among their Southern colleagues.

Although it is not possible to isolate the factors which account for the behavior of each of these 31 Southern representatives, it is possible to note some group characteristics. For example, at least 25 of the 31 may be considered, in terms of their roll call votes in

1965, as "liberals" relative to other Southern Democrats in the House. This conclusion is based on the data included in Table 19 which shows the frequency in which Southern Democrats voted for a larger federal role (as defined by Congressional Quarterly) on 13 occasions during the first session of the 89th Congress. The table illustrates that a total of 27 Southerns voted at least 70 per cent of the time (a minimum of 9 out of 13) for legislation which would enlarge the Federal government's role. Included within this "liberal" group of 27 were 25 representatives who also voted for the Education Act of 1965. In sum, a large majority (25 out of 31) of the Southern votes for school aid in 1965 were supplied by the more liberal Southern Democrats; those who would be most likely to vote in harmony with their Northern colleagues on an issue which included greater federal involvement in the education function and disproportionate assistance to Negro students.

Another characteristic of the group of Southern Democrats who voted for the bill is that about half of them represent highly urban districts. As Table 20 indicates, there were 20 Southern congressional districts in 1965 where at least 70 per cent of the population lived in an urban area. Of the 20 representatives from these districts, 15 (or 75 per cent) voted for school aid in 1965 while only 30 and 16 per cent of the representatives from the less urbanized districts supported the legislation. In other words, as was the case with the Republicans who voted for school aid, the more urban the congressional district the greater the possibility the representative backed federal aid for education. Certainly the terms

TABLE 19

SOUTHERN DEMOCRATIC VOTES ON ROLL CALLS TO ENLARGE FEDERAL ROLE AND VOTE FOR SCHOOL AID, 1965

Number of Votes to Enlarge Federal Role	Number of S.D.'s In this Group	Number of S.D.'s in this Group and Voting For School Aid	Percent in Group and Voting For School Aid
11-13	18	18	100%
9-10	9	7	78
7-8	9	3	33
5-6	12	1	8
3-4	19	2	11
0-2	22	0	0
Total	89	31	35

Source: Compiled from Congressional Quarterly Weekly Report, December 3, 1965, pp. 2422-2423 and April 2, 1965, pp. 600-601.

of the 1965 bill played a role in attracting the votes of these Republicans and Southern Democrats from urban districts.

TABLE 20

PROPORTION OF SOUTHERN DEMOCRATS VOTING FOR SCHOOL AID, BY PERCENT URBAN OF DISTRICT, 1965

District: Percent Urban	Total Districts	Number Voting Yes on Aid	Percent Voting Yes
High Urban (70-100%)	20	15	75%
Medium Urban (40-69%)	37	11	30
Low Urban (0-39%)	32	5	16
Total	89	31	35%

Source: Compiled from U.S. Bureau of the Census, *Congressional District Data Book* (Washington, D.C.: U.S. Government Printing Office, 1963) and *Congressional Quarterly Weekly Report*, April 2, 1965, pp. 600-601.

IV. *The American President as Legislative Initiator*

Inasmuch as the congressional component of the national Democratic Party did not initiate but responded to the proposal as drafted by the executive branch, it is necessary to examine the other major result of the 1964 national election: the selection of Lyndon Johnson as President. What kind of leadership, if indeed any, did he contribute to his party's pledge to establish a program of federal assistance for education?

Chief of State, Chief Executive, Supreme Commander of the Armed Forces, Chief Diplomat, Voice of the People, World Leader, Chief of Party, and Chief Legislator are among the many well known roles or "hats" of the American President.[26] It is important to note, however, as Richard Neustadt has pointed out, that the President must wear all the hats at once since his behavior in any one sphere has implications for all the others.[27] A study of the Presidency per se would no doubt emphasize the complex interrelationships among these roles; however, given the nature of this investigation, this discussion will focus on the President as Chief Legislator, or put in the terms we have utilized as a source of legislative input.

A variety of factors, including the emergence of America as a world power, the growth of the Executive Branch, the communications revolution, and the industrialization and urbanization of American society,[28] have contributed to the expansion of the Presidential office far beyond the limits conceived by the authors of the Constitution. For example, all the Constitution states on the President's legislative role is that he "shall from time to time give the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient . . . ." Yet in modern times the Executive has become the primary initiator of most major bills. Rossiter has suggested that this development is basically due to the increased "complexity of the problems" confronting the nation. He continues by asserting that:

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[26] Clinton Rossiter, The American Presidency (New York: The New American Library, 1956), Chapter I.

[27] Richard Neustadt, Presidential Power (New York: The New American Library, 1960), Preface, VIII.

[28] For a discussion of these factors see Nelson Polsby, Congress and the Presidency (Englewood Cliffs: Prentice-Hall, Inc., 1964), pp. 12-14.

> The President alone is in a political, constitutional, and practical position to provide such leadership, and he is therefore expected, within the limits of constitutional and political propriety, to guide Congress in much of its law-making activity.[29]

This dimension of Presidential functions requires, among other things, the making of decisions concerning legislative priorities. Given the limits of time and energy, the President is faced with the task of deciding which problems among the vast array existing in the nation and the world he will attempt to treat and which of his proposals are most vital, requiring his utmost attention.

The linkage between this perennial problem of priorities and federal school aid is suggested by one student of the aid movement who concludes his analysis by constructing an ideal pattern that must mesh together if a federal aid bill is to be realized. The primary ingredient of this formula is a President who is more than merely in favor of federal aid for education, "the President would have to be for it in a broad and comprehensive way, and feverishly enough to give it a top priority in his program."[30] To what extent has school aid received this kind of attention; how willing have postwar Presidents been to lend substantial amounts of prestige and persuasion to the cause of federal aid to education? More specifically, how does President Johnson's commitment to federal school aid compare to that of other Presidents and what was his part in the proponent victory of 1965?

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[29] The American Presidency, p. 19.

[30] Robert Bendiner, Obstacle Course on Capitol Hill (New York: McGraw Hill Book Company, 1964), p. 192.

A consideration of comparative Presidential views on and attention to school aid plus presidential ability to influence Congress is necessary to fashion adequate answers to these questions. The latter, of course, is easier said than done. Although attempts have been made to compare and rank the effectiveness of Presidents,[31] one must recognize that the multitude of variables involved makes such comparisons only suggestive.

V. Postwar Presidents and Federal Aid for Education

President Truman, as noted earlier, was elected on a platform which endorsed federal aid for education and he made it part of his "Fair Deal" program which was presented to the 81st Congress. In his State of the Union Message of 1949 he stated:

> We are not yet assuring all the children of our nation the opportunity of receiving the basic education which is necessary to a strong democracy . . . . I cannot repeat too strongly my desire for prompt federal financial aid to the states to help them operate and maintain their school systems.[32]

Although a school aid bill did pass the Senate during that year, the House proposal launched a bitter controversy over parochial school aid that has only been matched by the 1961 conflict. Subcommittee chairman Graham A. Barden (D., N.C.) introduced a bill authorizing grants of

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[31] See, for example, Arthur M. Schlesinger, Sr., *Paths to the Present* (New York: MacMillan Company, 1949), pp. 93-111 and Arthur M. Schlesinger, "Our Presidents: A Rating by 75 Historians," *New York Times Magazine*, July 29, 1962, p. 12.

[32] *Public Papers of the Presidents of the United States, Harry S. Truman, 1949* (Washington, D.C.: U.S. Government Printing Office, 1960), p. 5.

$300 million annually, but restricted the aid to public schools. When the bill created a deadlock over aid to private schools at the full Committee level, the issue gained nation-wide attention as Cardinal Spellman and Mrs. Eleanor Roosevelt became involved in a public conflict over the dispute.

Although President Truman did not engage in a major effort to resolve the impasse, the intensity of the conflict makes it doubtful that action on his part would have settled the question. Additionally, other aspects of his domestic program, such as his compulsory health insurance plan, the establishment of a new executive Department of Health, Education, and Security, the repeal of the Taft-Hartley Act, and abolishment of the poll tax, were all experiencing difficulties which meant his attention to school aid was necessarily limited. Consequently, although President Truman favored federal assistance, his difficulties with his overall domestic program and the heated religious conflict surrounding the aid issue during his term afforded him little opportunity to assume a leadership role relative to federal aid for education.

A forecast of the fate awaiting federal aid under President Eisenhower was also revealed during the 1949 action. As President of Columbia University, Dwight Eisenhower sent a letter to the House Subcommittee on Education in which he expressed approval of federal school aid to only those areas where the tax-paying potential could not provide adequate education. It is significant that he also remarked:

> I would flatly oppose any grant by the Federal Government to all states in the Union for educational purposes . . . . Unless we are careful even the great and necessary educational processes in our country will become yet another vehicle by which the believer in paternalism, if not outright socialism, will gain still additional power for the central government.[33]

With this conception of federal aid and the fact that he was elected on a platform which clearly opposed aid to education, it is not surprising that President Eisenhower was opposed to school aid during his first term. His reservations were expressed in his budget message of January 21, 1954, when he stated:

> I do not underestimate the difficulties facing the states and communities in attempting to solve the problems created by the great increase in the number of children of school age, the shortage of qualified teachers, and the overcrowding of classrooms . . . . At the same time, I do not accept the simply remedy of Federal intervention.[34]

Among other things he advised a While House Conference to study education problems, particularly the question of federal involvement, before any congressional action was taken.

The White House Conference on Education began in November, 1955, amidst charges that it was stacked by those who opposed federal aid. Its eventual endorsement of school aid, however, muffled critics. Subsequently, the Eisenhower Administration modified its opposition toward aid and proposed a school construction bill in 1956, which unfortunately for the proponents, became entangled with the segregation issue and was defeated on the House floor. A year later a similar proposal was killed in the House by a vote of 208-203 (111 Republicans voted against the bill while 77 voted for it) as both Republicans and Democrats charged President Eisenhower with providing less than enthusiastic backing for his own bill. One veteran supporter of education aid in the Senate summarized the sentiments at a later date when he remarked:

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[33] Quoted in Congressional Quarterly Service, Federal Role in Education (Washington, D.C.: 1965), p. 19.

[34] Public Papers of the Presidents of the United States, Dwight D. Eisenhower, 1954 (Washington, D.C.: U.S. Government Printing Office, 1960), pp. 151-152.

> It was what the administration did--or didn't do--that killed the legislation. The truth of the matter was that Eisenhower never wanted Federal aid. I think some of his friends on the golf course must have told him that it was creeping socialism. I really do. In 1957, the bill lost in the House by 5 votes. He could have had a bill. A few phone calls to members of Congress, 'This is the President of the United States calling Congressman so and so'--and he'd have gotten the votes. If he had called up Charlie Halleck and Joe Martin and said 'I want the votes,' he could have gotten them. The struggle would never have been as close as it was. He just didn't want a bill. He did nothing and in that situation, inaction meant,'No.'[35]

Certainly it is clear that President Eisenhower was anything but "feverishly" in favor of federal aid; his original opposition to the policy and his general budgetary philosophy did not result in a strong Presidential effort to initiate such a program.

President Kennedy presented a striking contrast; he made federal aid to education, as noted previously, one of the 1960 campaign issues and a key item of his domestic program. His concern with the question is testified to by Theodore Sorensen who has written that education was "the one domestic subject that mattered most to John Kennedy . . . . Throughout his campaign and throughout his Presidency, he devoted more time and talks to this single topic than to any other domestic issue."[36]

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[35] Quoted in Munger and Fenno, op. cit., p. 149. Also see Congressional Quarterly Almanac, 1957, p. 592.

[36] Kennedy (New York: Harper and Row, Publishers, 1965), p. 358.

President Kennedy's first education message to Congress reflected his commitment to school aid. In it he requested a program of $2.3 billion in grants for three years to be used for school construction and boosting teachers' salaries, loans to colleges of almost $2.8 billion to be used over a five-year period for construction purposes, and grants of $892 million for four-year federal college scholarships.[37] The hitch, of course, was that none of the elementary and secondary school funds would be available to private schools. As the discussion in the preceding chapter pointed out, this provision eventually spelled the doom of the Kennedy aid program. Although the request was repeated in 1962, the intensity of the 1961 fight discouraged both the Administration and congressional proponents from making another major effort.

There is little doubt that President Kennedy strongly favored school aid, but his willingness to exert his full resources on Congress to enact a program has been questioned. Price has suggested that in the process of weighing the costs involved in the school fight against his total legislative program the President "apparently decided to knuckle under on aid to education." His study of the 1961 school aid action led to the conclusion that: "The President was simply not prepared to jeopardize his whole legislative program--and perhaps his chances for re-election--by a bitter fight to the death for aid to education."[38]

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[37] Public Papers of the Presidents of the United States, John F. Kennedy, 1961 (Washington, D.C.: U.S. Government Printing Office, 1962), pp. 107-110.

[38] Hugh Douglas Price, "Race, Religion, and the Rules Committee: The Kennedy Aid-to-Education Bills," in Alan Westin (ed.), The Uses of Power (New York: Harcourt, Brace, and World, Inc., 1962), p. 68.

One might also add the observation that had Kennedy decided to do the opposite there was no guarantee that victory would result. Indeed, given the President's campaign pledge on the question of private school aid, the fact that he was the first Catholic President, and the rigidity of the various groups on the issue, there apparently was little room for Presidential manuverability that would have resolved the conflict.

VI. President Lyndon Johnson and Federal School Aid

The Democratic landslide of 1964 not only resulted in a more liberal Congress, but it returned to the White House a President who, like his predecessor, enthusiastically endorsed an expanded federal role in the field of education. President Lyndon Johnson clearly made federal aid to education at all levels one of the paramount features of the "Great Society." He repeatedly emphasized that "every child must be encouraged to get as much education as he has the ability to take." In his State of the Union Message on January 4, 1965, he designated educational goals to head the national agenda: "I propose we begin a program in education to insure every American child the fullest development of his mind and skills." His education message of January 12, 1965, reaffirmed this priority:

> Nothing matters more to the future of our country: not our military preparedness, for armed might is worthless if we lack brainpower to build a world of peace; not our productive economy, for we cannot sustain growth without trained manpower; not our democratic system of government, for freedom is fragile if citizens are ignorant . . . . [Therefore] we must demand that our schools increase not only the quantity but the quality of America's education . . . . I urge that we now push ahead with the No. 1 business

> of the American people--the education of our youth in the preschools, elementary and secondary schools, and in the colleges and universities.[39]

With a more than two-to-one Democratic majority in Congress, President Johnson wasted little time in moving to convert these words into action. His desire to have the Elementary and Secondary Education Act of 1965 passed and his willingness to exert every available resource to do so have been commented on by friend and foe alike. One Administration official, for instance, who worked in both the Kennedy and Johnson Administrations, commented on Johnson's keen interest in the matter in the following way:

> I don't know what other Presidents think and care about but this one really cares about education. With all due respect to Kennedy we never had the cooperation or pressure from the White House like we've had with Johnson. He simply was determined to get this thing through and everyone knew it.

A representative of a major interest group which worked closely with the Administration on the bill also praised the President's intimate support: "He supported it to the hilt. If a Congressman wasn't going to vote for the bill, Johnson wanted to know personally who he was and why he wasn't going to vote for it."

On the other hand, opponents of the measure claimed that President Johnson's manner of backing the proposal resulted in "railroading" the bill through the legislative process and reducing the legislative branch of the national government to a "rubber stamp." These accusations stemmed in part from the fact that the President insisted that the bill be processed as quickly as possible and without revision to reduce the possibility of repeating a serious religious dispute over the issue. To meet these demands committee chairmen in both chambers were called upon to hold hearings on Saturdays (almost unheard of early in a congressional session), amendments were strongly resisted by the proponents in committee executive meetings and on the floor, plus great pressure was put on the Senate to pass a bill exactly in the same form as the House version to avert the need for a conference, thereby circumventing the House Rules Committee.

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[39] Senate Committee on Labor and Public Welfare, Elementary and Secondary Education Act of 1965: Background Material with Related Presidential Recommendations, 89th Congress, 1st Session (1965), pp. 12-13.

The dissatisfaction aroused by these procedures, even among supporters of aid, was summarized by Senator Prouty (D., Vt.):

> The Constitution of the United States vests legislative power in the Senate and the House of Representatives. Now, by decree of the President of the United States, the Senate is to be shorn of its equal share of that power. This important and complex piece of legislation--on which your committee heard more than 90 witnesses whose testimony filled 6 volumes and more than 3,200 pages--is to pass this body without a dot or comma changed; this by fiat from the Chief Executive . . . .
>
> The intent of the sponsor of this legislation--the President of the United States--is that the Senate passively accept his decree and pass this bill in exactly the form voted upon by the other body . . . .
>
> Today may be the day when the Senate of the United States, after 176 years of greatness, yields to the insistent demand of a Chief Executive its right and duty to perform its true legislative function.[40]

The fact that some may view President Johnson's role in the proceedings as "presidential leadership" and others as "political arm-twisting" is a secondary point. The primary fact is that he pushed for federal school aid like no other postwar President has and he was successful. In terms of the Presidential dimension of the 1965 school aid victory, why was this so; why is it that President Johnson succeeded when all other Presidents have witnessed the defeat of their school aid proposals?

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[40] Congressional Record, April 7, 1965, pp. 7064-7065. Also see Roger A. Freeman, "How to Railroad a School Bill," National Review, 17:419-422, May 18, 1965, and "Through the Back Door," Nation, 200:434, April 26, 1965.

In addition to the factors discussed in previous chapters, there are several characteristics which are unique to President Johnson which help to answer this question. His legislative achievements in the field of education must be viewed in the context of his personal interest in this area, his huge victory and the Democratic Party landslide in the 1964 election, his overall legislative accomplishments, and his much heralded ability to understand and work with Congress.

The positive congressional response to his programs is explained, in part, by the fact that Mr. Johnson was elected by a plurality of almost 16 million votes, the greatest Presidential margin in American history. Contrasted, for example, to President Kennedy's slight victory (see Table 21), this impressive mandate at the polls provided President Johnson with a significant lever in dealing with Congress. He could convincingly argue, as he did, that the public had clearly endorsed his policy orientations and he was responsible as was the Congress for fulfilling the mandate.

An equally important factor is that his personal sweep at the polls was also largely responsible for his party's gain in seats within the legislative branch. Surely the forty-eight representatives who won formerly held Republican districts in the 1964 election were to some extent indebted to Johnson's "coattails" and would be expected

TABLE 21

PLURALITY OF DEMOCRATIC NATIONAL LEGISLATIVE SEATS AND PLURALITY OF PRESENTIAL VOTE, 1948-1964

	Democratic Plurality of Seats			Popular Vote
	House	Senate	President	Plurality
1948	92	12	Truman	2,135,747
1950	36	2		
1952	-8	1	Eisenhower	6,621,242
1954	29	1		
1956	33	2	Eisenhower	9,567,720
1958	128	30		
1960	89	28	Kennedy	112,803
1962	83	36		
1964	155	36	Johnson	15,952,085

Source: Derived from Congress and the Nation (Congressional Quarterly, Inc., 1965), pp. 63-66.

to support most of the President's legislative requests.[41] As has already been pointed out, this increased margin of liberal Democratic representatives furnished the President with a party advantage that certainly lubricated the congressional process for both his educational and non-education programs. In sum, this plurality in popular votes and in party make-up of the legislature was greater for Mr. Johnson than for any other postwar President and consequently made the opportunity for enacting a federal school aid bill, considering his great interest in doing so, unusually good.

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[41] The seventy-one Democratic freshmen supported the President on 89 per cent of twelve key roll call votes identified by Congressional Quarterly and on 83 per cent of the sixty-six roll call votes held by August of 1965. Congressional Quarterly Weekly Report, August 27, 1965, p. 1746.

Although a large numerical majority in the legislature may present a President with the opportunity of fulfilling his agenda, it is not axiomatic that large majorities equal great legislative records. Members of the party with a considerable edge are apt to decide that their votes on a particularly sensitive question, such as federal aid to education, are not vital. The argument that "the President really needs you on this one" is much less effective than in the situation where the majority is narrow and every vote is crucial. Therefore, it is quite tempting for those in the majority to subordinate party loyalty when there is a conflict between Presidential wishes and constituency opinions or special interest. A large majority carries with it the additional danger that the opposition party and the press will eventually stress the argument that the President is dictating to the legislature. A continuous repetition of this "rubber stamp" accusation may pressure members of the majority to rebuff the President in order to maintain congressional independence and prerogatives.

Both of these hazards were confronted by President Johnson during the first session of the 89th Congress, but as the data included in Table 22 indicate, he was extremely successful in overcoming them. It points out that of the 469 proposals he submitted to the Congress 321 or 68.4 per cent were approved, an all-time high since such scores have been systematically kept. Obviously, there are several pitfalls

TABLE 22

PRESIDENTIAL LEGISLATIVE SCORES: 1953-1965

	Proposals Submitted	Approved by Congress	Approval Score
1954 (Eisenhower)	232	150	64.7%
1955	207	96	46.3
1956	225	103	45.7
1957	206	76	36.9
1958	234	110	47.0
1959	238	93	40.8
1960	183	56	30.6
1961 (Kennedy)	355	172	48.4
1962	298	133	44.6
1963	401	109	27.2
1964 (Johnson)	217	125	57.6
1965	469	321	68.4

Source: *Congressional Quarterly Weekly Report*, November 19, 1965, p. 2341.

in taking comparative legislative boxscores too seriously. However, used with caution they do provide at least a rough estimate of how well a President has done with his legislative program and how he compares with other Presidents. In such terms, President Johnson would have to rate highly not only for the proportion of proposals approved but for the number put forth for congressional consideration. In fact, if the number of proposals in Table 22 are broken down into those which *Congressional Quarterly* designates as roll call votes which "present clear-cut tests of support," then Johnson's legislative success is the highest attained by any President since that publication began its Presidential support studies in 1953. Of 274 such roll call votes in the first session of the 89th Congress, 93 per cent were approved. This proportion was five points higher than President Johnson's own 1964 score and exceeded the score of 87.1 per cent made by President Kennedy in 1963 and 89 per cent achieved by President Eisenhower in 1953.[42]

Certainly the fact of party majority was an important aspect of what has been referred to as "unquestionably one of the most glittering records of legislative accomplishment in history"[43] but as has already been suggested, the President must be particularly skillful in dealing with a Congress that is characterized by a large party majority. The fact that Lyndon Johnson has been proficient is attested to by the evidence included above and the reams of newspaper accounts which have utilized every conceivable adjective in describing his ability in handling the Presidential job. Few would disagree with the statement of one close observer of the Washington scene that "Mr. Johnson is the most expert politician, the most artful accumulator and dispenser of power, and the most dominant personality to sit in the White House since Franklin Roosevelt."[44]

There are many personal factors which reportedly underpin President Johnson's ability to get his programs through Congress: his long experience in the Congress, his skill in accumulating power and astuteness in utilizing it, his ability to sense public opinion on an issue,[45] his touch for great timing, and on and on. One factor, however, is repeatedly emphasized in the more extensive accounts which deal with this topic: Mr. Johnson understands and appreciates the internal workings of Congress and has the greatest reservoir of informal congressional relations of any other recent President, and probably any President in American history. James Reston put it well when he wrote that President Johnson

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[42] See Congressional Quarterly Weekly Report, November 26, 1965, p. 2387.

[43] New York Times, September 5, 1965, p. 44.

[44] Tom Wicker, "The Awesome Twosome," New York Times Magazine, January 30, 1966, p. 6.

> . . . accepts the Congressional system the way it is--warts and all. Kennedy was in the Congress, Johnson is of it. He struggled to the top through the system and therefore thinks it's all right. He is not a critic of the elders of the Congress but their companion. He has lived with them for 30 years, spoken for them in their elections, stood up with them at their family weddings and christenings and funerals; drunk whiskey with them in Mr. Sam Rayburn's 'board of education' hideaway in the House.[46]

President Johnson's part in the passage of the 1965 Education Act must be viewed as one thread and a key one, within this general picture of unprecedented Presidential influence. His great personal interest in education (it is reported he would like to be known as the "Education President"), the party line-up, and his remarkable talent for dealing with Congress all favored the enactment of a school aid bill. Additionally, it is also important to note that Mr. Johnson, not being a Catholic, was in a much better position to propose an education bill which included some assistance to non-public schools. With the racial issue generally neutralized, this was done skillfully enough so that the one remaining issue which had the greatest potential for blocking his proposal did not re-explode. In conclusion, all the available evidence makes it clear that President Johnson deeply desired a federal aid to education program and he pressed with a sure hand as no other postwar President had to insure its enactment.

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[45] Press Secretary, Bill Moyers, for example, claims that the President has "a great natural gift for knowing, feeling and sensing the mood of the American people . . . . I think he has antennae that give or take one or two degrees, keeps him pretty closely attuned to the problems, moods and attitudes of the people," New York Times, November 1, 1965, p. 3.

[46] James Reston, "What's He Like?". The New York Times Magazine, January 17, 1965, p. 8.

This chapter has attempted to demonstrate that the overwhelming Democratic victory of 1964 at both the congressional and Presidential levels presented an opportunity and eventually the realization of passing a federal aid to education bill. The election triumph made possible the articulation of the Democratic Party's long-time interest in the issue of school aid and supplied the party with a leader who was deeply committed to the cause of federal school aid, gave it high priority on his legislative agenda, and used his resources to push the enactment of the proposal.

CHAPTER V

ALTERATIONS WITHIN THE POLITICAL SYSTEM

I. Introduction

All of the changes examined to this point in the study involve alterations in the environment of the legislative system and constitute, in terms of the framework being utilized, new inputs. One might presume that the described alterations among these factors would be sufficient to account for the new policy output. Although tempting, this is not a safe assumption. External changes do not automatically bring about innovation within the system and in its policy outputs for the simple reason that the institutional structure of the system is rigged against producing change. This bias against innovation derives from the fact that the proponents of a new policy must win approval from the two House committees, a Senate committee, both legislative bodies, the House Rules Committee a second time if a conference is necessary, the President, and finally, if the policy is to be carried out, the Appropriations Committee. On the other hand, the opponents of innovation need to block a proposal at only one of these hurdles to prevent its realization.

Given this decentralization of power in the congressional system, the opponents of federal school aid bills have found the internal institutional structure an important advantage in their efforts to defeat proposals. In fact, one student of the history of federal aid to education has interpreted the proponent failure, prior to 1965, as basically a result of the formal institutional structure of Congress. He has written:

> . . . It is plain that sponsors of Federal aid to the schools have again and again been bilked of their prize solely by the mechanical arrangements of the national legislature. That is to say, they have been beaten not because a majority of the Congress decided, after reasonable thought, that the scheme was contrary to the public good, but simply because a minority used the arrangements in question to have its own way . . . a standing committee of the House regularly buried the legislation in the 1940's, sometimes by a single vote; riders and tricky maneuvers killed it on the floor throughout the following decade; and since then it has twice been done to death by that peculiar institition, the Committee on Rules.[1]

Although much has been written about the need for instititional reform of the national legislature, it is important to note that the institutional system serves a variety of functions, even for those who often criticize it. It is a fairly well known fact, for example, that congressmen have on occasion written home to their constituents complaining about the Rules Committee blocking a piece of legislation and at the same time have encouraged members of the Rules Committee to keep the measure from the floor.[2] Consequently, an institutional interpretation of proponent failure may tend to simplify the underlying politics of the school aid issue and must be considered with this reservation in mind.

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[1] Robert Bendiner, Obstacle Course on Capitol Hill (New York: McGraw Hill Book Company, 1964), p. 207.

[2] Ibid., p. 155. Also see Howard W. Smith, "In Defense of the House Rules Committee," in Joseph S. Clark (ed.), Congressional Reform: Problems and Prospects (New York: Thomas Y. Crowell Company, 1965), pp. 138-150.

According to the institutional perspective, change in past outcomes can occur if institutional alterations are made which reduce the ability of a powerful few situated at key junctions in the system to block the will of the majority. In other words, change is more likely to come about when the structure is altered to facilitate a more fluid flow of majority wishes. The primary objective here, then, is essentially to describe changes within the system which increased the probability that the 1965 bill would reach the House floor for a vote, since the structural features of that chamber have most often contributed to past proponent failures.

In this context, there were three institutional changes made prior to 1965 which were instrumental in paving the way for the eventual passage of the 1965 Education Act. These changes include the revision of the party ratio in the House Committee on Education and Labor in 1959, the shift from Graham Barden to Adam Clayton Powell as chairman of that committee in 1961, and the temporary expansion of the House Rules Committee in 1961 and its permanent expansion in 1963. A discussion of each of these changes and their respective roles in making the 1965 proponent victory possible constitutes the focus of this chapter.

II. The House Committee on Education and Labor

In contrast to the Senate, where federal aid bills were approved in 1948, 1949, 1960, and 1961 before the 1965 enactment, the House of Representatives has been a hostile environment for school aid proposals. The lack of earlier proponent success in the

House stems from the basic fact that the supporters of aid were unable to accomplish the most elementary victory, that is, to muster sufficient strength in the House Committee on Education and Labor to have a bill favorably reported. As Figure 2 indicates, the proponents were usually able to secure Committee hearings during the years after World War II; however, it was not until 1955 that a bill was finally reported from the Committee.

In an attempt to explain this action, Richard Fenno has called attention to several characteristics of the Committee which have made general consensus building difficult and concurrence on the issue of school aid particularly formidable.[3] He notes that "nearly all of its members agree that it is probably the most difficult House committee in which to achieve a consensus and the easiest in which to promote and prolong conflict."[4] The factors underpinning this assessment pertain to the nature of the Committee's jurisdiction, the composition of its membership, and its decision-making procedures.

Much of the Committee's preoccupation with conflict instead of consensus building results from the fact that many of the most controversial and highly partisan domestic issues fall within the Committee's jurisdiction. With responsibilities spanning from the Taft-Hartley Bill (the Committee's first major bill) to the current Anti-Poverty legislation, it is understandable that one member commented that "this is probably the most partisan Committee in

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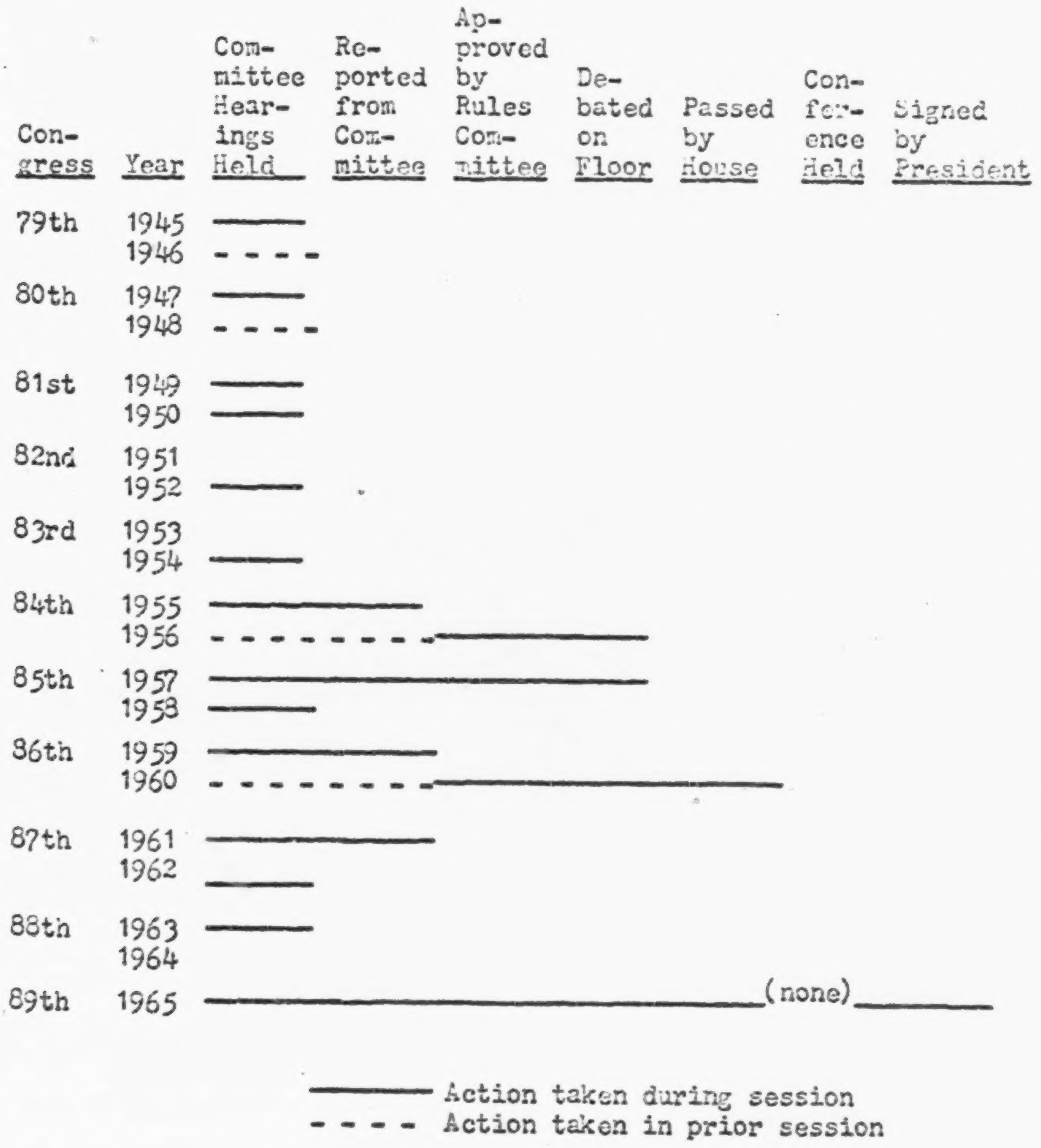
[3] See Chapter V in Frank Munger and Richard Fenno, National Politics and Federal Aid to Education (Syracuse: Syracuse University Press, 1962) and "The House of Representatives and Federal Aid to Education," in Robert L. Peabody and Nelson W. Polsby, ed., New Perspectives on the House of Representatives (Chicago: Rand McNally & Company, 1963), pp. 195-235.

[4] Munger and Fenno, Ibid., p. 109.

FIGURE 2

HOUSE ACTION ON FEDERAL AID FOR EDUCATION BILLS: 1945-1965



the House, because this is where the fundamental philosophical battles are fought."[5] Given such a situation, flexibility is generally lacking and compromise is hard to come by. This was stressed by a former committee member who recalled the federal aid fight during the 1950's: "Some of us were unalterably opposed to Federal aid and some on the other side were just as unalterably in favor of it . . . . There weren't many minds changed by discussion."[6]

However, as Fenno has pointed out, issues alone do not produce conflict; it is the personnel on the Committee and their relative perspectives on issues which cause disagreement. In this sense, the composition of the Committee's membership is a vital factor and as Masters has noted:

> The assignment of members to the Education and Labor Committee - with jurisdiction over the explosive issues of school aid, segregation and labor management relations - has called for the most careful attention to the constituencies of applicants . . . . It is no place for a neutral when there are so many belligerents around.[7]

Both of the political parties recognize this fact and attempt to control the composition of the membership through careful assignments procedures. The Democrats have promoted their perspective in the Committee by encouraging the appointment of "dependable" liberals--"those who can afford politically to take an outright pro-labor position"[8]--and limiting the assignment of Southerners. The Republican party leaders, on the other hand, protect their influence in the Committee by assigning to it those who are not moderate on labor-management issues but strongly pro-management.[9]

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[5] Quoted in Ibid., p. 110.

[6] Ibid.

[7] Nicholas A. Masters, "House Committee Assignment," American Political Science Review, Vol. LV (June, 1961), p. 354.

[8] Ibid.

These assignment practices tend to accentuate the philosophical and partisan division among members resulting from the issues raised by the jurisdiction of the Committee. The relative intensity of this split is reflected by the data included in Table 23. It compares the ideological differences between Democrats and Republicans in the House as a whole and to the same variations in the Senate. These differences are derived from a series of roll call votes selected by Congressional Quarterly in 1961 and 1965 to distinguish, as noted earlier, those congressmen who support a larger federal role in domestic affairs (e.g., liberals) from those who are opposed to a larger federal role (e.g., conservatives). The table shows the mean percentage of each group's vote for an expanded federal involvement.

The results of both the 1961 and 1965 analysis indicate that the ideological variation within the House Committee is greater than the disagreement between the opposing party members on the same issues in the House as a whole. In both instances the mean percentage difference between Committee Democrats and Republicans was about 20 per cent greater than between all House Democrats and Republicans, although the Republican percentage has increased significantly during the four-year period.

The pattern in the Senate is quite different. The 1961 variation in voting behavior along party lines between Senate Committee members and all Senators was small. Additionally, the convergence

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[9] This stress by both parties on appointing members according to their views on labor, not education, is another factor which influences the lack of consensus on the issue of school aid.

TABLE 23

EDUCATION COMMITTEE MEMBERS FAVORING A LARGER FEDERAL ROLE COMPARED TO HOUSE AND SENATE AS A WHOLE, 1961 AND 1965

	Mean Percentage of Votes for Larger Federal Role	
	1961 (10 Roll Calls)	1965 (13 Roll Calls)
All House Democrats	78%	79%
All House Republicans	12	33
Difference	66	46
Committee Democrats	91	95
Committee Republicans	7	30
Difference	84	65
	(10 Roll Calls)	(12 Roll Calls)
All Senate Democrats	67%	82%
All Senate Republicans	32	46
Difference	35	36
Committee Democrats	90	99
Committee Republicans	52	50
Difference	38	49

Source: Congressional Quarterly Weekly Report, October 20, 1961, pp. 1751-1763 and December 3, 1965, pp. 2417-2420.

of views is more apparent in the Senate Committee where both Democrats and Republicans have indicated a greater willingness to support enlarged federal activity than their respective counterparts in the entire Senate. This pattern at the Committee level contributes to the favorable action federal aid proposals have received in the Senate. In contrast to this relative agreement in the Senate Committee, the House Committee Democrats voted during both periods more liberally than all House Democrats whereas Committee Republicans voted more conservatively than all Republicans. This fact illustrates the basic discordance in the House Committee and underpins the past difficulties faced by school aid proponents in guiding legislation through the House.

The combination of jurisdictional and membership characteristics of the House Committee on Education and Labor obviously influences the nature of the Committee's decision-making procedures. Given these factors it is not surprising that the Committee's style of decision-making does not emphasize accommodation and compromise. In fact, Fenno has commented: "It tends to function in a fiercely competitive style in which the techniques are those of naked power and the decision goes to whoever can command a simple majority in a showdown vote."[10] The informal norms which advance committee integration, such as mutual respect between members of opposite parties, have not developed to the extent they have in other committees.[11] This trait is exemplified by an exchange during the 1965 subcommittee hearings among the Chairman of the full committee, Adam Clayton Powell, Representative Ford (D., Mich.), and Representative Goodell (R., N. Y.).

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[10] Munger and Fenno, op. cit., p. 117.

[11] See, for example, Richard F. Fenno, Jr., "The House Appropriations Committee as a Political System: The Problems of Integration," American Political Science Review, LVI (June, 1962), 310-324.

> CHAIRMAN POWELL: Will the gentleman yield?
>
> MR. GOODELL: I have had enough with debating with the other side of the committee. I would like to hear the panel answer some questions.
>
> MR. FORD: I may observe I have been here since 9:30 and have not had a chance to ask any questions.
>
> MR. GOODELL: You asked one earlier and you will have a chance. This is the first Republican question we have had here.
>
> CHAIRMAN POWELL: The gentleman from New York has 1 more minute under the 5-minute rule (which was not observed up to this point in the hearings).
>
> MR. GOODELL: Mr. Chairman, I serve notice, then, if any more speeches are to be delivered in this subcommittee, I will object at the end of 5 minutes under the 5-minute rule . . . . You have more power and you will supress the minority, but you will hear from us.[12]

The decision-making environment in which the House Education Committee functions magnifies the significance of the ratio of Democrats to Republicans on the Committee. If the possibilities for cooperation and compromise are limited then decisions are indeed an outcome of naked power and those with the votes rule. In this respect, the sweeping Democratic congressional victory of 1958 and the consequent alteration of the Committee's party ratio to produce twenty Democrats to ten Republicans in 1959 instead of the previous line-up of seventeen Democrats to thirteen Republicans constitutes one of the key institutional changes of the federal aid movement.

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[12] House Committee on Education and Labor, Aid to Elementary and Secondary Education, 89th Congress, 1st Session (1965), pp. 596-597.

At that time, liberal committee members claimed that in past sessions the old ratio allowed the alliance of the Republicans with Chairman Graham A. Barden (D., N. C.) and Phil M. Landrum (D., Ga.) to bring about a fifteen-to-fifteen voting split thus blocking action on education aid as well as anti-corruption labor legislation and revisions of the Taft-Hartley Act.[13] This conservative coalition permitted the opponents of federal aid[14] to bottle up proposals at the Committee level until 1955 when the Eisenhower Administration presented a program and the Eisenhower-oriented Republicans on the Committee joined the majority of the Democrats to report the bill out. The same alignment was responsible for reporting bills out in 1956 and 1957; however, it was dissolved in 1958 when President Eisenhower withdrew his support for federal aid and the old line-up again stalled the proposal in the Committee. The installation of the new two-to-one ratio and the appointment of five "liberal" Democratic freshmen in 1959 were made to strengthen the position of Committee liberals and give them a dominant majority.[15] Since that alteration was made the support for federal aid within the Committee has essentially been an all-Democratic majority (one Republican joined the Democrats in 1960 and two in 1965 although they did not affect the result) which has been able to process bills through the Committee stage whenever earnest Administration requests were made. In 1965 the bill was reported out of Committee by the twenty-one Democrats who were joined by Republicans Ogden Reid (N. Y.) and Alphonzo Bell (Cal.). Had the 1959 revision not been accomplished the committee treatment of the 1965 proposal would probably have been more rugged.

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[13] Congressional Quarterly Weekly Report, January 23, 1959, p. 101.

[14] On some occasions those members who generally favored aid also voted against specific bills in committee due to the lack of aid to non-public schools or the allocation formula.

[15] The five new Democrats were Roman C. Pucinski (Ill.), Dominick V. Daniels (N. J.), John Brademas (Ind.), Robert Giamo (Conn.), and James G. O'Hara (Mich.).

III. House Committee Leadership

Another modification with the congressional system which has recently facilitated the task of advancing education aid proposals through the House Committee was the change from Graham Barden to Adam Clayton Powell as Chairman of the Committee in 1961. The importance of this change in leadership stems from the power allocated to committee chairmen in the national legislature. Committee chairmen have at their disposal a wide assortment of powers which permits them to exert a strong influence on the fate of legislation under their jurisdiction. The chairman, for example, controls the agenda of his committee and schedules hearings on those bills, among the many pending, which he feels are most important. He determines the work load by organizing subcommittees, appointing their chairmen, and establishing their jurisdictions. In fact, he may create special subcommittees instead of standing subcommittees (who generally have more autonomy) to give himself even greater leverage. He also makes the vital decisions concerning when and how long the committee will meet, whether there is a quorum, who will be heard from and for how long, and the size and competence of the commitee's staff. Additionally, the chairman manages committee bills on the floor and usually sits on conference committees when legislation from his committee is under consideration. In sum, the chairman of a committee has an assortment of formal powers and a variety of informal powers which provide him with the means to promote or delay legislation.

Graham Barden, during his eight-year tenure (1951-52 and 1955-60) as Chairman of the House Committee on Education and Labor, utilized every one of these powers to bury the school aid proposals before his committee. Fenno, for example, has written that Barden "worked tirelessly to defeat federal aid legislation."[16] Barden has been described as a master at using delaying tactics to make his Committee inactive. One Democratic member of the Committee commented:

> He never shut any one up. He'd let you talk yourself around the clock and in circles if you would. One year, he brought in 92 witnesses from the Chamber of Commerce on the school bill and was going to let them all talk.[17]

Another favorite delaying tactic employed by Barden was his authority to declare the absence of a quorum to halt Committee meetings. Even after the 1959 ratio alteration he was able to exercise this prerogative to procrastinate Committee business. When liberals on the Committee attempted to hold sessions without him but with the necessary quorum, "Barden would come, look around and say, 'I see there's no quorum present,' bang his gavel and it would be all over."[18]

Barden also used a host of other tactics which weighed against any favorable action on school aid by his Committee. Among other things, he refused to establish a regular meeting day for the

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[16] Munger and Fenno, op. cit., p. 122. As a subcommittee chairman in 1949 Barden initiated the bill and added much of the subsequent fuel to the religious conflict which surrounded the issue during that period.

[17] Ibid.

[18] Ibid., p. 123.

Committee, would not create standing subcommittees with permanent areas of jurisdiction, declined to place a time limit on the questioning of witnesses during hearings, kept the Committee's staff small and of little quality, and in 1956 when a school aid bill was reported from the Committee he demanded the right to manage the floor debate and allocated a disproportionate amount of time to the opponents of the bill. In sum, the House Education Committee under the chairmanship of Barden was ruled by a conservative who used all his available powers to obstruct school aid legislation.

The proponents of federal education aid, and liberal legislation in general, were presented with an unexpected treat on January 22, 1960. On that day Chairman Barden at the age of sixty-three announced to the surprise of House leaders, including Speaker Sam Rayburn, that he was not going to seek election to a fourteenth term but "was going home and take it easy."[19] Although liberals may have uttered a sigh of relief upon hearing this news release, it immediately became apparent that the notification had a double edge: Barden would no longer be Chairman of the House Committee on Education and Labor but in all probability Adam Clayton Powell, next in seniority, would be heir to the throne. Powell's well-publicized conduct as a congressman of high absenteeism, high and careless spending of public money, and difficulties with the Internal Revenue, among other things, earned him the reputation (outside his Harlem district) of being "irresponsible."[20] In fact, the prospect that Powell would become the new chairman renewed the long-time proposal to split the committee in two. Under this move Powell would be chairman of a new labor committee while Representative Cleveland Bailey (D., W. Va.), who had a number of hot brushes with Powell over the issue of school aid and segregation, would be the chairman of the education committee.

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[19] *New York Times*, January 23, 1960, p. 1. Also see "Bottleneck in Congress Retires," *Businessweek*, January 30, 1960, p. 93.

[20] See, for example, the *New York Times* editorial of January 26, 1960, on Powell's ability to be Chairman of the Committee. For background on Powell's political "style" see James Q. Wilson, "Two Negro Politicians: An Interpretation," *Midwest Journal of Political Science*, Vol. IV (November, 1960), pp. 346-369.

Representative Powell, however, made it clear that he would by no means be agreeable to such a modification and indicated that Speaker Rayburn had promised him the position as chairman of the full Committee.[21] At a new conference Powell pledged a more liberal and effective Committee than the present one and indicated that he would no longer press his anti-segregation amendment to school aid bills if the majority of the committee did not support him. He stated:

> I don't think Mr. Barden had the friendship and rapport that I have with these men. Mr. Barden is a dogmatic man with set views against which Young Turks on both sides of the House were rebelling. I'm not going to be anti anybody or anything in Committee. If something like segregation came up, I would accept the committee majority and, if need be, fight it down on the floor of the House.[22]

Soon after the Democratic victory in the fall of 1960, Mr. Powell indicated that the Committee would be organized for action in contrast to the past. Although it was nearly two months before the 87th Congress would convene he made assignments to all the majority members of the Committee and set them to work for the coming session. He also predicted that the Committee would approve bills on minimum wage and federal aid to education within a month after the Congress began its session.[23]

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[21] The following day Rayburn announced that the assignment would probably be made "in the natural way" if the Democrats won the election--meaning Powell would be chairman since he had the seniority. New York Times, January 24, 1960, p. 1.

[22] New York Times, January 23, 1960, p. 11.

Although the Kennedy education bills were reported from committee the controversy over parochial schools, as was discussed earlier, eventually doomed them. This occurred through no fault of Chairman Powell who dropped his perennial segregation amendment and advocated a compromise by suggesting limited parochial assistance to resolve the impasse.

Relative to minimum wage legislation, he demonstrated a similar willingness to take positive action. Shortly after the Administration submitted its minimum-wage proposal he instructed a subcommittee to consider its legislation and to hold no more than three days of hearings. This was in sharp contrast to the four months of hearings held the year before when Barden was chairman of the Committee.[24] On May 3 of that year the House finally passed a compromise wage bill (230 to 196) and several of his colleagues admitted that Chairman Powell exhibited unsuspected skill during conference hearings and in pushing the compromise legislation through the House. One member of his committee, Edith Green (D., Ore.), expressed the observation, "He sees this as the great challenge of his life. He wants to be an outstanding chairman."[25]

There is additional evidence to indicate that Powell sees the Committee as an instrument of action rather than inaction. In contrast to procedures under former Chairman Barden, Powell has instituted practices such as an anti-filibuster rule which may be used to prevent members from talking more than five minutes in full Committee during the discussion of bills and has doubled the size of the staff that served under Barden in his effort to speed-up the work of the Committee. Indeed, his reorganization of the Committee has reportedly included the consideration of the installation of a new intercommunication system in his office that would enable him to participate *in absentia* in subcommittee sessions by cutting in with, "This is your chairman speaking. . . ."[26]

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[23] New York Times, November 12, 1960, p. 11.

[24] See Paul Duke, "A New Role for Mr. Powell," The Reporter, September 28, 1961, pp. 30-32.

[25] Ibid., p. 31.

Certainly there are many who continue to have grave reservations about Powell's suitability to be a congressman let alone the chairman of a key domestic Committee. His widely publicized jaunts to foreign countries and the recent New York City lawsuit against him provide constant fuel for such accusations. However, if one is interested in assessing Powell strictly on his willingness and ability to process liberal legislation through the House Committee on Education and Labor, particularly federal aid bills, it is clear that he is a vast improvement over Barden.

The part he played in the passage of the 1965 Education Act is a good example of this appraisal. Prior to the beginning of the first session of the 89th Congress, Chairman Powell indicated that federal school aid would be a top priority item in his Committee and reaffirmed his pledge not to entangle school aid with segregation. Noting the Democratic majorities in both houses Powell said, "If we don't get Federal aid to education in this Congress, we might as well forget all about it for another generation."[27]

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[26] *Ibid.*, p. 32. Also see Murray Kempton, "Adam Powell: The Ocelot of the House of Representatives," *The New Republic*, 148:10-13, May 25, 1963.

[27] *New York Times*, December 24, 1964, p. 10.

President Johnson delivered his education message on January 12 and only ten days later Powell had his subcommittee conducting hearings on the bill which lasted from January 22 to February 2. By February 5 the subcommittee cleared the bill and reported it to the full Committee, all in record time. Indeed, action occurred at such a fast pace that some individuals and groups accused Chairman Powell of attempting to "rush through" the public hearings on the President's program before the public became acquainted with what was involved.[28] At this junction, however, Powell once again reminded those who might have forgotten that he knows how to be unscrupulous in his manipulation of power. While the Administration was waiting for action by the full Committee it was disclosed that the Chairman was stalling and refused to call executive sessions on the bill. It became apparent that this action was taken in response to the possibility that Mr. Powell's request for committee operating funds might be trimmed. In other words, if he did not get the committee budget he wanted, the school aid bill would gather dust. He made it clear that this was the case after the appropriation was made by stating:

> I consider the Committee on Education and Labor the most important committee on domestic legislation in Congress. I held up everything until I got the money I needed to operate the committee.
>
> I have informed the White House that I will do everything I can to get it through the committee this week if we have to meet all day every day, including Saturday, provided we can hold a quorum on Saturday.[29]

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[28] See, for example, the statement made by Dr. Joachim Prinz, President of the American Jewish Congress, New York Times, January 22, 1965, p. 23.

[29] Quoted in New York Times, February 25, 1965, p. 16.

Consequently, Powell scheduled the full Committee to meet that Thursday, Friday, and Saturday to approve the bill. However, on Saturday six Democrats joined the Committee's ten Republicans to suddenly adjourn the meeting by a vote of sixteen to fifteen thus reportedly depriving Powell of fulfilling his promise to the White House of approval by the end of the week.[30] The bill, however, was reported by the full Committee the following Tuesday, March 2, which was less than two months after the President had sent it to the House. This speedy and favorable treatment must, to a large extent, be credited to Adam Clayton Powell who apparently has gained some grudging respect from his colleagues for his talent to get things done. One reporter notes that the school aid action "illustrates what many Congressmen see as one of the representative's chief redeeming virtues: his ability to run the committee efficiently, processing large amounts of significant and complicated legislation . . . ."[31]

IV. The House Rules Committee and Federal Aid to Education

The two internal system alterations discussed thus far unquestionably enhanced the possibilities of securing favorable committee action on federal aid legislation. The shift in party ratio and the ascendance of Powell to the chairmanship meant that major liberal legislation would be blocked at this point in the legislative process only under unusual circumstances. However, if school aid proponents had successfully vaulted this hurdle, they were also confronted with another barrier: the House Rules Committee, where aid to education bills were killed in 1959, 1960, and 1961.

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[30] New York Times, February 28, 1965, p. 45.

[31] Warren Weaver, Jr., "Powell: Man and Image," New York Times, February 28, 1965, Part IV, p. 4. Apparently this ability and willingness on Powell's part to run the committee efficiently has not extended into the 2nd session of the 89th Congress. In September, 1966, the members of his committee banded together to strip him of several powers for his alleged mismanagement and negligence of committee work.

As noted earlier, the Rules Committee functions as the intervening structure in the House situated between the committees and the floor. It is charged with the responsibility of determining which committee-approved measures will be debated and under what conditions on the House floor. Its influence is described by one political scientist in the following manner:

> The base of the Committee's power consists in its opportunities to give or withhold hearings for rules, to give or withhold rules, to trade a change in the bill for a rule, to permit or forbid amendments and set the length of debate, to take advantage of time constraints near the end of a session, to arbitrate differences between legislative committees, and to initiate action in the absence of legislative committee decisions. Its means of power are the actual exercise of these opportunities, plus the delay, threat, or anticipation of their exercise.[32]

It is not these powers alone, but the utilization of them by a bipartisan conservative alignment to block "liberal" legislation which has been the source of conflict surrounding the appropriate functioning of the Rules Committee. The Committee was first taken over by such an alliance in 1937 when a group of dissident Democrats joined the conservative Republicans on the Committee to oppose much of President Franklin Roosevelt's legislative program. Between that time and 1961, except for the Republican 80th and 83rd Congresses, the Rules Committee was generally dominated by this bloc, although Speaker Rayburn occasionally was able to pry loose a crucially needed vote or two through his relationship with Minority Leader Joe Martin.[33]

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[32] James A. Robinson, The House Rules Committee (Indianapolis: The Bobbs-Merrill Company, Inc., 1963), p. 21.

In 1955 Howard Smith assumed the chairmanship of the Committee. His skill at using his position and the powers of the Committee to keep close rein over the kind of legislation emerging from the House has become almost legendary. One of his colleagues has described his political skill in the following manner:

> One of the interesting things is to watch the way he plays all these different things the way a great conductor conducts an orchestra . . . on an economic issue, or a welfare issue . . . let's say there are five or six of them, he'll play them as carefully as he can and very skillfully to kill as many as possible, but if he has to knuckle under in order to get 'X' by going along with 'A' he will. It's really magnificent skill.[34]

In a manner similar to Barden, Smith has used a variety of techniques to discourage legislation he does not favor. If, for example, legislation is pending which he finds objectionable it is not unusual for him to delay for long periods of time the convening of his committee. The story is told that:

> In August, 1957, he vanished from Washington, leaving his committee without the power to call itself to order, while the civil rights bill gathered dust in its files. Word seeped

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[33] Ibid.; also see Milton C. Cummings, Jr., and Robert L. Peabody, "The Decision to Enlarge the Committee on Rules: An Analysis of the 1961 Vote," in Robert Peabody and Nelson Polsby, New Perspectives on the House of Representatives (Chicago: Rand McNally and Company, 1963), p. 170.

[34] Congressman Richard Bolling on CBS Reports, "The Keeper of the Rules: Congressman Smith and the New Frontier," CBS TV, January 19, 1961, quoted in Nelson Polsby, Congress and the Presidency (Englewood Cliffs: Prentice-Hall, Inc., 1964), p. 73.

> back from Virginia that Judge Smith had gone to inspect a barn that had burned on his nearby dairy farm.
>
> 'I knew Howard Smith would do most anything to block a civil rights bill, but I never suspected he would resort to arson,' Speaker Rayburn quipped, somewhat wryly.[35]

If matters eventually came to a vote Chairman Smith and William Colmer, a Mississippi Democrat, would consistently align themselves with the four Republican members of the committee to produce a six-to-six tie vote, thus denying a rule. Dissatisfaction with this situation gained momentum following the 1958 Democratic congressional sweep. Anxious to build a liberal legislative record to campaign in the 1960 election, a group of Democrats who constituted the Democratic Study Group went to Speaker Rayburn early in 1959 and requested that something be done about the Rules Committee. Counting on his informal relationship with Minority Leader Martin to produce the vital moderate Republican votes to override Smith and Colmer on key issues, Rayburn assured the group that measures would not be bottled up in the Rules Committee. However, shortly after this commitment was made, Martin was defeated as the Republican leader by Charles Halleck in a surprise vote seventy-four to seventy.[36] Furthermore, two Republicans on the Rules Committee were replaced by Halleck with two more conservative members and consequently the Democratic liberals and leadership saw many of the bills they strongly-favored stalled or buried in the Rules Committee.[37]

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[35] Tom Wicker, "Again That Roadblock in Congress," The New York Times Magazine, August 7, 1960, p. 15.

[36] Robinson, op. cit., p. 72.

[37] Ivan Henderaker, "From the 86th to the 87th Congress: Controversy over 'Majority Rule,'" in American Government Annual, 1961-1962 (New York: Holt, Rinehart & Winston, 1961), pp. 76-98.

Included among the House bills which were not granted a rule in 1959 was the Murray-Metcalf education bill (H.R. 22) which would authorize $1.1 billion a year for a four-year period to be used for school construction and teachers' salaries. School aid supporters were able to secure committee approval by a vote of eighteen to twelve (Barden and Landrum voted with the ten Republicans) but they were unable to generate enough pressure to move the proposal through the rules stage where the bill was lodged from June to the end of the session. There is evidence to indicate that the proponents actually did not expect approval of the bill, but were interested in spotlighting the obstructive posture of the Rules Committee. One of the co-authors of the bill commented:

> We got that bill out of Committee and we knew it didn't stand a chance of getting through the Rules Committee, but we just let it sit there. It put a few feet to fire. We got enough pressure built up so that the next year when we came back with a construction bill we got one extra vote and got it through the Rules Committee.[38]

During the 1960 session the Senate passed a bill that was introduced the previous year by Senator Pat McNamara (D., Mich.) which called for an authorization of $1.8 billion for both school construction and teachers' salaries to be spread in such a manner that the poorer states would receive more money than the more wealthy states.

The House bill was more moderate; it provided for construction only and did not include an equalization formula. The proposal was passed by the House Committee on Education and Labor by a vote of nineteen to eleven and sent to the Rules Committee on March 25 where nothing happened to it until the middle of May. Impatient over the long delay in Rules, the sponsors of school aid decided to use Calendar Wednesday (which had been successfully used to pass the Area Redevelopment bill earlier) to bring the bill to the House floor. However, twenty-four hours before the deadline, Chairman Smith "made it known that he would hold a hearing on the education bill on Thursday morning (May 19) if plans for Calendar Wednesday were dropped."[39]

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[38] Munger and Fenno, op. cit., p. 134.

Rather than encourage the use of Calendar Wednesday, thus undercutting the influence of the Rules Committee, Smith presumably decided that it would be wise for the Committee members to make the decision. It soon became apparent that Smith had resisted putting the issue to a vote because the coalition which blocked much legislation with a six-to-six tie would be temporarily broken. This development resulted from the fact that B. Carroll Reece, a Republican from Tennessee, was reportedly under considerable fire from his financially needy constituency who were aware that the Rules Committee had blocked school aid the previous year. Consequently, they were pressuring Reece to support the 1960 education bill and he pledged to do so.[40] Therefore, on May 19 the bill received a rule to proceed to the floor by a vote of seven to five (see Table24).

Action on the floor eventually resulted in the House approval of a general school aid bill for the first time in American history.

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[39] Bendiner, _op. cit._, p. 166.

[40] _Ibid_.

Bolstered by the Democratic victory in 1958, the pro-aid forces were able to fashion a 206-189 vote for passage. However, the victory was gained at the cost of attaching the Powell Amendment to the bill. Despite the pleas of Democratic floor leaders, 100 Northern and Western Democrats, who were facing a fall election, voted for the Civil Rights proposition. They were joined by seventy-seven Republicans who subsequently turned around and voted against final passage. The inclusion of the Powell Amendment, as it turned out, eventually doomed the legislation.[41]

Since the House version differed from the Senate's education bill, a conference was necessary to work out the appropriate adjustments. Unless unanimous consent is granted for such a conference it is necessary to secure a special rule from the Rules Committee and this did become necessary when Representative August Johansen (R., Mich.) objected. The House Committee on Rules while meeting in executive session on June 22 refused by a seven-to-five vote to send the legislation to conference.

Representative Trimble, an Arkansas Democrat, and Representative Reece, both of whom voted to expedite the measure on May 19, reversed their positions and voted against it on this occasion. It was reported that Trimble, a supporter of federal aid, found it politically hazardous to promote a bill containing an anti-segregation clause while Reece no longer felt obligated to vote against his convictions since he had fulfilled his original pledge. Subsequently, little was done between June 22 until Congress adjourned on September 1 to alter the situation. Apparently, Republicans were relieved that

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[41] Congressional Quarterly Weekly Report, May 27, 1960, pp. 919-920.

President Eisenhower would not have to make a chioce between vetoing an education bill in an election year and signing a bill he had publicly denounced. Many liberal Democrats, on the other hand, were more interested in a campaign issue than pushing for a conference which would undoubtedly result in deleting the teachers' salaries from the bill. One of the five Democrats on the Rules Committee who voted for the conference indicated later why they did not fight for a turnabout: "we were planning a full-scale attack on the power of the Committee and we felt that the worse it looked, the better."[42]

After the 1960 election, President-elect Kennedy and his fellow liberal Democrats realized that confrontation with the Rules Committee was necessary. Kennedy felt that unless something was done to break the conservative block "nothing controversial would come to the floor of the Congress. Our whole program would be emasculated."[43] However, the President also knew that the initiative for change must come from the House of Representatives not the White House; consequently, Speaker Sam Rayburn would be largely responsible for deciding how to handle the Rules Committee.[44]

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[42] This statement of Representative Richard Bolling was quoted by Bendiner, op. cit., p. 171.

[43] Quoted in Sorensen, op. cit., p. 340. On August 26, 1960, eleven members rose on the House floor to denounce the Committee on Rules and demand reform. Congressional Record, August 26, 1960, pp. 16698-16706.

[44] There are several informative studies of this topic. See: Hugh Douglas Price, "Race, Religion, and the Rules Committee," in Alan Westin, ed., The Uses of Power (New York: Harcourt, Brace, and World, 1962), pp. 1-73; Cummings and Peabody, op. cit.; Robert Peabody, "The Enlarged Rules Committee" in the same volume; Robinson, op. cit.; Neil MacNeil, The Forge of Democracy (New York: David McKay Company, 1963) pp. 410-448; and William R. MacKaye, A New Coalition Takes Control: The House Rules Committee Fight of 1961 (New York: McGraw-Hill Book Co., 1963).

The several alternatives open to the Speaker all involved a basic decision concerning whether a change should be made to dilute the insititutional power of the Committee or alter its political balance without tampering with its authority. For example, an attempt could be made to reinstitute the "twenty-one-day rule" used in 1949, to reduce the number of names required for a discharge petition, restrict the powers of the chairman, and limit the jurisdiction of the Committee. On the other hand, the Speaker could opt for retaining a strong Rules Committee by changing the composition of the membership thus harnessing the Committee's power to work for the will of the majority. This could be done in two basic manners. First, the decision could be made among Democrats (as was suggested by the Democratic Study Group) by removing Representative Colmer from the Committee on grounds that he campaigned against the Democratic Party in the past election.[45] He could then be replaced by a "loyal" Democrat who would create a seven-to-five "liberal" majority. Secondly, the entire House could be called upon to enlarge the Rules Committee from twelve to fifteen members. The two-to-one ratio of majority to minority could be maintained by allowing the Republicans to add one member while the Democrats added two. Since Halleck could be expected to add a conservative and Rayburn two "liberal" Democrats (one Southern to maintain the balance on civil rights), this alteration would generally result in an eight-to-seven line-up that would ordinarily report "liberal" legislation, except civil rights which would need Republican support on the Committee.

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[45] MacNeil, op. cit., pp. 416-417. Congressional Quarterly Weekly Report, January 6, 1961, p. 4.

After reportedly feeling out Smith and finding him unagreeable to any kind of change, Rayburn indicated that he leaned, though reluctantly, toward replacing Colmer. This inclination immediately triggered strong resistance, particularly from those committed to the seniority system. It was pointed out that others had not been chastised for similar action in the past. Adam Clayton Powell, for example, had supported Eisenhower in 1956 but retained his place in the party hierarchy. It was also noted that this action was likely to alienate Southern Democrats to the point where they would join Republicans on the floor of the House, thus endangering the President's program even if it was able to proceed through Rules.[46]

Consequently, Rayburn announced later that favored an enlarged Rules Committee as the most "painless" way out of the circumstance.[47] This decision meant that the entire House would be involved in the outcome; Rayburn would need considerable Southern support and votes from liberal Republicans to pull it off. However, the day after Rayburn disclosed his strategy the Republican Policy Committee announced its opposition and declared its support for Chairman Smith. Vascillating Republicans were called upon to make a difficult choice since committee assignments were yet to be made.[48]

January 25 was originally selected as the day for the showdown vote. As it approached it became evident from extensive polling by both sides that the issue would be settled by less than ten votes. In fact, the vote promised to be so close that Speaker Rayburn had it postponed until January 31.

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[46] MacNeil, Ibid., pp. 419-426.

[47] Congressional Quarterly Weekly Report, January 31, 1961, p. 31.

[48] MacNeil, op. cit., p. 428.

On the day of the crucial vote the gallery was packed to witness one of the most dramatic congressional decisions in recent years. The debate was limited to one hour and thirty minutes for each side. Judge Smith and his supporters argued against "packing the committee" and the Rayburn forces opposed "frustrating the will of the majority." Finally the long-awaited roll call vote was made and the the House adopted the resolution to enlarge the Rules Committee to 15 members by a vote of 217 to 212. Rayburn gained all of the 129 Northern and Western Democratic votes, 66 votes from border and Southern states, and 22 Republican votes. Smith had gathered 148 Republican votes and 64 Democratic votes, all from Southern and border states.[49]

The Speaker was now in a position to "reform" the Rules Committee. He selected Carl Elliott, an Alabama liberal (on economic issues), and B. F. Sisk, a liberal from California, as the two Democratic appointees to the Committee. Both mem favored federal aid for education and as Table 24 shows they both voted to expedite school aid legislation in 1961. Representative Sisk, who remained on the Committee, also voted to grant the 1965 bill a rule.

The account of the 1961 school aid action presented in Chapter III related how this enlargement did not prevent the Kennedy aid bills from being killed in the Rules Committee after all. However, in that particular instance it was not the action of a conservative coalition which cut off the bill; it was Representative Delaney, a liberal (but Catholic) Committee member, who dealt the fatal blow. Presumably, the federal aid bill would have been processed through the Rules junction had not the religious conflict flared as it did.

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[49] Congressional Quarterly Weekly Report, February 3, 1961, pp. 170-171.

In 1963 the House Rules Committee was permanently expanded to fifteen members.[50] This institutional change meant that in 1965 the proponents of school aid were likely to be granted a rule if, among other things, the religious issue was resolved. It is important to note, however, that it was not only vital for the proponents to gain Delaney's vote; they also needed the support of the Protestant Democrats on the Rules Committee in view of the fact that in 1961 Representatives Elliott, Thornberry and Trimble, had indicated that they would have voted to table the NDEA Amendment bill if Delaney had not joined the conservative coalition to kill all three education bills. Consequently, the fact that the religious issue was generally resolved among the major interest groups probably prevented the blockage of the 1965 school aid bill in the Rules Committee once again since Trimble and three other Protestant Democrats (Bolling, Young and Pepper) voted for the 1965 bill. The fruits of the enlargement fight and the settling of the religious question, then, were realized by federal aid to education backers on March 22, 1965, when the Rules Committee voted eight-to-seven to clear the school aid bill for floor consideration. Clearly, the enlargement of the Rules Committee made such an action possible once the other controversial issues surrounding federal aid were resolved in the House, as they essentially were in 1965.

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[50] For a comparison of the 1961 and 1963 votes see Robert Peabody, "The Enlarged Rules Committee," op. cit., pp. 129-164. Carl Elliott passed away in 1961 and was replaced by John Young of Texas which did not alter the "liberal-conservative" composition of the Committee.

[51] Trimble was the only one of the three still a member of the House.

TABLE 24

VOTES IN RULES COMMITTEE TO EXPEDITE FEDERAL AID LEGISLATION 1960-1965

	1960 1st Vote	1960 2nd Vote	1961 1st Vote	1961 2nd Vote	1965 Vote
Democrats					
Smith (Va.)	N	N	N	N	N
Colmer (Miss.)	N	N	N	N	N
Madden (Ind.)	Y	Y	Y	Y	Y
Delaney (N. Y.)	Y	Y	N	N	Y
Trimble (Ark.)	Y	N	Y	Y	Y
Thornberry (Tex.)	Y	Y	Y	Y	
Bolling (Mo.)	Y	Y	Y	Y	Y
O'Neill (Mass.)	Y	Y	N	Y	Y
Elliott (Ala.)			Y	Y	
Sisk (Cal.)			Y	Y	Y
Young (Tex.)					Y
Pepper (Fla.)					Y
Republicans					
Allen (Ill.)	N	N			
Brown (Ohio)	N	N	N	N	N
Reece (Tenn.)	Y	N			
Budge (Ida.)	N	N			
St. George (N. Y.)			N	N	
Smith (Cal.)			N	N	N
Hoffman (Ill.)			N	N	
Avery (Kan.)			N	N	
Anderson (Ill.)					N
Martin (Neb.)					N
Quillen (Tenn.)					N
Totals	Y-7 N-5	Y-5 N-7	Y-6 N-9	Y-7 N-8	Y-8 N-7

Y - Yes Vote
N - No Vote

The alterations within the congressional system discussed in this chapter clearly facilitated the enactment of the 1965 Education Act. The three major changes contributed to the proponent victories at points in the system prior to floor consideration and to a speedy legislative trek for the proposal. This latter point should not be overlooked. The accent on speed stressed by the Administration and congressional proponents of the bill stems from the view that if a highly controversial bill can be processed smoothly and quickly it is less likely to be diverted by the several issues involved and ultimately defeated. With a long history of controversy surrounding the question of federal school aid, it is understandable that the backers of the 1965 bill were anxious to process it quickly to minimize the possibilities of its fatal entanglement with the perennial issues. The fact that they were successful -- the bill was passed by the House in less than three months -- must be explained, in part, by the changes which occurred within the system prior to the introduction of the 1965 proposal.

CHAPTER VI

SUMMARY AND CONCLUSIONS

After many years of frustrating failure, the proponents of general federal aid for education finally achieved victory with the enactment of the Elementary and Secondary Education Act of 1965. This study has been primarily concerned with identifying the factors which contributed to the passage of this legislation.

In an attempt to organize the many relevant factors into a meaningful pattern, the decision was made to utilize a version of one of the more recent methodological approaches in political science: an input-out systems model. The national legislature was designed at the unit of analysis. The primary task was to indicate which factors impinging upon the legislature and within the legislative system had undergone sufficient change prior to and during 1965 to produce the new output--the Education Act of 1965.

The most fundamental finding which emerges from this endeavor is that the final passage of the school aid bill cannot be explained by a single major change at the exclusion of others. The long-awaited proponent victory must be viewed in the context of several inextricably interrelated factors. The interdependence among the set of changes is such that it is not possible to systematically rank them in order of importance in any meaningful fashion. Indeed, it would be a mistake to attempt such a ranking since it would imply a simplified conception of the complex interaction among the factors which made the passage of the proposal possible. All are necessary to explain the outcome while no single variable is sufficient.

Although no hierarchy of factors is achievable, it is instructive to review the major changes which took place and to note their respective contributions to the outcome. It is conceivable that a faltering at any one of the links would have doomed the bill or modified it considerably.

Concerning the changes among the input factors, the Democratic victory in the 1964 election is one of the crucial components of the pattern. As has been demonstrated, the question of federal school aid became an increasingly partisan issue and the ideological gap between the parties was unusually wide during the 1964 campaign. Consequently, the overwhelming Democratic victory provided a solid foundation for the 1965 federal aid effort. The election resulted in a predominantly liberal Congress with a Democratic majority of 36 in the Senate and, most importantly, 155 in the House of Representatives. This congressional line-up meant that the Democrats were presented with an exceptional opportunity to deliver on their long-time pledge to enact a federal aid for education program.

Fortunately for the supporters of federal aid, the 1964 election also resulted in another favorable input factor, the retaining of President Lyndon Johnson in the White House. This is another key aspect of the pattern since it is apparent that President Johnson is both one of the strongest advocates of federal school aid and the most astute and persuasive politician to occupy the Presidency in the post-World War II period. There is little doubt that he made school aid the priority item on his legislative agenda for the first session of the 89th Congress and provided the necessary leadership to assure enactment of the bill.

Not only was the Johnson Administration strongly committed to federal aid, but the President and his associates displayed considerable ingenuity in constructing the bill, working with key interest groups, and devising the strategy for guiding the proposal through the legislative process. Their task in all three of these respects was simplified by the passage of the Civil Rights Act of 1964, an earlier output of the legislative system which eventually had a "feedback" effect on the 1965 school aid action. Title VI of this legislation outlawed the allocation of federal funds to segregated programs. Consequently, one of the controversial components of the federal aid issue was largely removed as a complicating factor in the building of a consensus for the school aid bill. The proponents were free to plan their strategy on the assumption that the proposal would not become seriously entangled with a civil rights amendment as was the case in 1956 and 1960.

Given the impressive congressional majority and the neutralization of the segregation question, the Administration forces assumed the responsibility of drafting an "acceptable" bill, a bill that would gain the support of the major organized interest groups. They concentrated on devising an appropriate formula for resolving another complicating variable: the question of aid to non-public schools. The ingredients of such a formula were plain. It was necessary to include some form of assistance that would gain the support of the Catholic organizations yet not alienate the Protestant groups and the National Education Association. The Administration wisely decided to include representatives from both of these perspectives in working out the approach. Separate and joint conferences were held by the Administration officials in the fall of 1964 with the National Catholic Welfare Conference and the National Education Association. The fact that these meetings were successful was attested to by the simultaneous approval of the bill by these two key organizations on the day President Johnson made it public. Eventually, these organizations were joined in their support of the legislation by most of the major Protestant organizations. The willingness of these groups to compromise on the issue was do doubt related to the desire by most of the groups to avert a repeat of the 1961 conflict, the "ecumenical environment" that had developed, and possibly to the growing support of public opinion on the question of aid to private schools.

Not only did the Administration fashion a bill that satisfied both the Catholics and Protestants, it also presented a proposal which was particularly "in tune" with developing circumstances during the mid-1960's. Three major environmental changes had occurred in the society which contained important consequences for the education function. These changes included the "rediscovery" of poverty in America, the metropolitanization of the society, and the renewed vitality of the civil rights movement. The combination of these factors produced a new political environment and set of inputs on the national legislative system. The drafters of the Administration's bill took advantage of these developments and successfully linked the question of federal school aid to the problem of poverty in America, the crisis confronting urban and rural schools, and implicitly to the civil rights revolution. This put the issue of federal assistance in a refreshing context which had considerable possibilities for gaining widespread support. Indeed, it is difficult to imagine a proposal which would have more "political appeal" than the bill presented by the Administration. The proposal reflected sensitivity to the major environmental changes which were, and still are, occurring in the society to such an extent that even the opponents of federal assistance to education found it difficult to develop a case against the basic concept underpinning the legislation.

The combination of a proposal which simultaneously articulated a response to pressing circumstantial factors and resolved (if only temporarily) the church-state dilemma, resulted in an interest group alignment that weighed heavily in favor of the proponents. Whereas the great majority of school aid supporters backed the bill, the long-time group foes of federal aid mustered virtually no resistance to the legislation. In fact, it appears that the staunchest historical opponents of federal aid to education abdicated their position during the 1965 action and viewed resistance as a "lost cuase." Consequently, the new group coalition which emerged in 1965 constitutes an additional integral part of the input factors which acted on the national legislature to produce a new response to the educational problems of the nation.

All of these input variables operated in favor of the enactment of the proposed school aid bill. Their combined pressure made it unlikely that the legislative system would not produce the new policy output. However, changes within the system constituted additional factors which eventually assured that the legislation would not be unduly delayed and endangered by the countless number of hazards which may erupt while a bill is under consideration. Adam Clayton Powell as Chairman of the House Committee on Education and Labor in place of Graham Barden meant that the Administration had a supporter of federal aid at a vital point in the system and could count on cooperation, which it received with a slight delay. The new two-to-one ratio of Democrats and Republicans on the Committee, instituted in 1959 and retained in 1965, provided further assurance that favorable Committee treatment would be given to the bill. Finally, the enlargement of the House Rules Committee and the resolution of the religious issue among the various groups contributed to favorable committee action and consequently removed the last institutional pitfall in the system which had blocked earlier aid bills.

Reflecting on the mixture of both input and system changes which occurred prior to and during 1965, it would be somewhat surprising if the Elementary and Secondary Education Act had not passed. The trio of system changes which had occurred over a period of three years (1959-1961) removed key institutional obstacles and inched the proponents of aid closer and closer to their goal. Once the Rules Committee was enlarged in 1961 the institutional structure _per se_ of the legislative system was no longer a hindrance to the proponents of aid (if, indeed, it ever was). The next requirement was a cohesive majority that could process a school aid bill through the relatively streamlined system. The Democratic victory at the congressional level provided the basis for such a majority and the victory at the presidential level supplied a President who was not only capable of leading the majority but with the political skill to devise a proposal that was acceptable to the relevant non-governmental groups. In sum, all of the major factors were altered in the direction which favored the enactment of school aid legislation. There is no apparent change which operated to reduce the chances of the proponents' victory; the ideal pattern finally meshed. Congressman Powell summarized the situation when he stated: "If we don't get Federal aid for education in this Congress we might as well forget all about it for another generation."

At a more general level of analysis this account of the passage of the 1965 Education Act provides a source for hypothesizing about how major political innovation occurs in relation to the national legislative system. This study suggests that major innovation is likely to result from a series of incremental changes which culminate at a point in time rather than result from a single major event. This appears to be the usual case for at least two reasons. First, the legislative system involves a more difficult terrain for proponents of change because they are required to win approval at a series of junctions while opponents need to halt innovation at only a single point in the system. Second, any major controversial issue is usually not a single issue at all, but a group of interrelated controversial issues which must somehow be resolved before the basic change can occur. For example, consensus on federal aid for education as a policy position is not enough; consensus must also be built on the question of aid to segregated schools, aid to non-public schools, the allocation of aid among the States, and the "appropriate" role of the Federal government in the education function. To the extent that other issues are also characterized by a variety of controversial sub-issues, major innovation will generally take place only when it is possible to resolve the component parts. This is likely to involve several incremental changes over a period of time. As each incremental alteration occurs or is accomplished, the proponents of innovation may concentrate their efforts on the remaining hurdles. If they are fortuitous and skillful they can be successful.

This account also indicates the significance of the feedback effect of earlier system outputs on pending legislation. The supporters of school aid viewed, with good reason, the 1961 outcome as a major defeat which probably doomed the possibilities of victory in the near future. However, as it turned out, the 1961 action and output did not terminate the efforts to bring about change, but actually stimulated the relevant groups to search with a new vitality for a compromise solution. Thus, what appeared to be a negative output eventually had a positive impact on future proceedings.

Similarly, the enactment of the Civil Rights Act of 1964, although it did not directly include references to federal aid to education, had an important feedback effect on the passage of the 1965 school aid bill. By dealing with the question of federal aid and segregation at the broadest level it, in effect, removed from consideration (at least for Northern Democrats and Republicans) one of the major issues which had helped to block the enactment of earlier proposals. In sum, the student of political innovation should be cognizant of the latent implications of earlier outputs for the change he is analyzing.

Finally, this study and some recent subsequent developments suggest a more speculative, but worth mentioning, hypothesis concerning the kind of political change we have discussed. It seems that once the proponents achieve victory in an area where they were unsuccessful for a considerable time, they move to expand the magnitude of their victory rapidly. More specifically, the backers of school aid were able to increase considerably the Federal government's fiscal commitment to the 1965 program during the 1966 Congressional session. In October of 1966 both the House and the Senate passed amended Administration bills authorizing new funds under the Education Act of 1965. Although the original Administration bill requested an authorization of $1.3 billion for the fiscal year 1967, the House authorized about $1.8 billion and the Senate $2.2 billion for 1967 and $3.5 billion and $3.6 billion respectively for 1968. In other words, assuming action by the appropriations commitees, the federal support for elementary and secondary education would experience a six-fold increase during the first three years of the 1965 law. This development provides strong evidence for considering the Education Act of 1965 as the "dreaded break-through" opponents of federal aid fought against for so long. There is good reason to believe that a substantial expansion of the Federal government's role in education is now established and will no doubt increase rapidly.

APPENDIX A

A SUMMARY OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Title I--Financial Assistance to Local Educational Agencies for the Education of Children of Low-Income Families

Policy -- . . . to provide financial assistance to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means (including preschool programs) which contribute particularly to meeting the special educational needs of educationally deprived children.

Estimated Funds--$1,174,887,454

Duration--July 1, 1965, to June 30, 1968

Formula--The allocation to each county is computed by adding (a) the number of children aged 5 to 17 from families with incomes of less than $2,000 to (b) the number of children aged 5 to 17 from families receiving an annual income in excess of $2,000 from payments through the program of aid to families with dependent children under Title IV of the Social Security Act and (c) multiplying the sum by one-half the state average per pupil current expenditure during the school year 1963-1964.

Administration--Local educational agencies may receive funds for any fiscal year only upon application therefor approved by the appropriate state educational agency, upon its determination:

(1) that payments will be used for programs and projects of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting the special educational needs of children from low-income families;

(2) that the local agency has made provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which low-income children attending non-public school can participate;

(3) that a public agency will administer the funds and property acquired under the title;

(4) that the construction of school facilities under the title be consistent with overall state plans for the construction of school facilities;
(5) that effective procedures will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special needs of educationally deprived children;
(6) that the local educational agency will make an annual report to the State educational agency including the above information;
(7) that wherever there is, in the area served by the local educational program, an Anti-Poverty Program, the programs and projects have been developed in cooperation with the public or private non-profit agency responsible for the community action program; and
(8) that effective procedures will be adopted for acquiring and disseminating to teachers and administrators significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects.

Title II--School Library Resources, Textbooks, and Other Instructional Material

Policy -- . . . to establish a program for making grants for the acquisition of school library resources, textbooks, and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools.

Estimated Funds--$100,000,000 for the fiscal year ending June 30, 1966; the Congress to determine the authorization thereafter.

Distribution--Each state will receive a proportion of the total grant that is equal to that state's proportion of all public and non-public school children enrolled in elementary and secondary schools.

Administration--In order to participate, a State would submit to the Office of Education a plan spelling out criteria to be used in allocating funds within the State. The plan must take into consideration the need of children and teachers for such material and provide assurance that such materials would be provided on an equitable basis for all elementary and secondary school children and teachers. Title to library resources, textbooks, and other printed and published instructional materials furnished pursuant to this title, and control and administration of their use, shall vest only in a public agency.

Title III--Supplementary Educational Centers and Services

Policy -- . . . to establish a program for making grants to supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

Estimated Funds--$75,000,000 for the fiscal year ending June 30, 1966; the Congress to determine the authorization thereafter.

Distribution--Each state would receive a flat grant of $200,000. In addition, each state would receive two more grants based on their proportion of children 5 to 17 and their proportion of the total national population.

Administration--Under this program the local educational agency or agencies apply for a grant through the State Department of Education. The plan, in the establishment and carrying out of the program, must include the participation of persons broadly representative of the cultural and educational resources of the area to be served. The plan may include such educational services as guidance and counseling, remedial instruction, school health services, dual enrollment programs, and specialized instruction in subjects not taught in the local schools. Cultural services may include symphony orchestras, museums, planetariums, theaters, and the like.

Title IV--Educational Research and Training

Policy and Funds--The title amends the Cooperative Research Act to authorize $100,000,000 over the next five years for the construction of national and regional research facilities. In addition to the construction funds, there is provision for expansion of the current research programs administered by the Office of Education.

Administration--Grants would be distributed for construction and programs of national and regional research laboratories. Proposals for such grants would be developed by groups representing State departments of education, local school systems, and universities. Programs would basically be located in areas of population concentration where an adequate operating staff may be assembled, but laboratory activities would extend throughout each region.

Title V--Grants to Strengthen State Departments of Education

Policy --To establish a program for making grants to stimulate and assist States in strengthening the leadership resources of their State educational agencies, and to assist those agencies in the establishment and improvement of programs to identify and meet the educational needs of the state.

Estimated Funds--$14,450,000 for the fiscal year ending June 30, 1966; the Congress to determine the authorization thereafter.

Distribution--Each State shall receive a $100,000 flat grant and a proportion of 85 per cent of the remaining funds that is equal to its proportion of all public school pupils.

Administration--State departments, when applying for grants, would review their present programs and indicate their greatest needs. Grants could be utilized to improve educational planning; identify special educational problems and needs; evaluate educational programs and any number of projects that would improve the operation of State departments of education and the services they provide to local educational agencies.

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